LAW OF THE SEA
BULLETIN

No. 18 JUNE 1991

OFFICE FOR OCEAN AFFAIRS AND THE LAW OF THE SEA

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CONTENTS

		Page
I.	STATUS OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA.....	1
	A. Table of signatures and ratifications as of 29 April 1991.....	1
	B. Chronological order of ratifications of, and accessions to, the Convention, giving each State's regional group.....	7
II.	LEGAL INFORMATION RELEVANT TO THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA.....	8
	A. Recent national legislation received from Governments.....	8
	1. Australia: Proclamation to establish Australia's territorial sea, 13 November 1990.....	8
	2. Yugoslavia: Act concerning the coastal sea and the continental shelf, 23 July 1987.....	9
	B. Treaties.....	25
	1. Bilateral treaties.....	25
	a. Agreement between the Government of Canada and the Government of the Union of Soviet Socialist Republics concerning the prevention of incidents at sea beyond the territorial sea, 20 November 1989.....	25
	b. Agreement on maritime delimitation between the Government of the French Republic and the Government of the Solomon Islands, 12 November 1990.....	33
	c. Codicil modifying the Agreement of 19 January 1983 between the Government of the Republic of France and the Government of Fiji relating to the delimitation of their economic zone, 8 November 1990.....	36
	2. Multilateral treaties.....	37
	International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990.....	37

CONTENTS (continued)

		Page
III.	OTHER INFORMATION	66
	A. International Court of Justice - Communiqué No. 91/6 of 22 February 1991. Portugal brings a case against Australia	66
	B. Fishing for Salmon in international waters. Resolution of the Council of the North Atlantic Salmon Conservation Organization (NASCO) at its seventh annual meeting, held at Helsinki from 12 to 15 June 1990	68
	C. United Nations sales publications prepared by the Office for Ocean Affairs and the Law of the Sea	69

I. STATUS OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

A. Table of signatures and ratifications or accessions as of 29 April 1991

States	Final Act signature	Convention signature a/	Convention ratification or accession b/
Afghanistan		18/3/83	
Albania			
Algeria * c/	x	x	
Angola *	x	x	5/12/90
Antigua and Barbuda		7/2/83	2/2/89
Argentina *		5/10/84	
Australia	x	x	
Austria	x	x	
Bahamas	x	x	29/7/83
Bahrain	x	x	30/5/85
Bangladesh	x	x	
Barbados	x	x	
Belgium *	x	5/12/84	
Belize	x	x	13/8/83
Benin	x	30/8/83	
Bhutan	x	x	
Bolivia *		27/11/84	
Botswana	x	5/12/84	2/5/90
Brazil * ** d/	x	x	22/12/88
Brunei Darussalam		5/12/84	
Bulgaria	x	x	
Burkina Faso	x	x	
Burundi	x	x	
Byelorussian SSR *	x	x	
Cambodia		1/7/83	
Cameroon	x	x	19/11/85
Canada	x	x	
Cape Verde * **	x	x	10/8/87
Central African Republic		4/12/84	
Chad	x	x	
Chile *	x	x	
China	x	x	
Colombia	x	x	
Comoros		6/12/84	
Congo	x	x	

States	Final Act signature	Convention signature	Convention ratification or accession
Costa Rica *	x	x	
Côte d'Ivoire	x	x	26/3/84
Cuba * **	x	x	15/8/84
Cyprus	x	x	12/12/88
Czechoslovakia	x	x	
Democratic People's Rep. of Korea	x	x	
Democratic Yemen ** e/	x	x	21/7/87
Denmark	x	x	
Djibouti	x	x	
Dominica		28/3/83	
Dominican Republic	x	x	
Ecuador	x		
Egypt **	x	x	26/8/83
El Salvador		5/12/84	
Equatorial Guinea	x	30/1/84	
Ethiopia	x	x	
Federated States of Micronesia f/	x		29/4/91 (a)
Fiji	x	x	10/12/82
Finland *	x	x	
France *	x	x	
Gabon	x	x	
Gambia	x	x	22/5/84
German Democratic Republic * g/	x	x	
Germany g/	x		
Ghana	x	x	7/6/83
Greece *	x	x	
Grenada	x	x	25/4/1991
Guatemala		8/7/83	
Guinea *		4/10/84	6/9/85
Guinea-Bissau **	x	x	25/8/86
Guyana	x	x	
Haiti	x	x	
Holy See	x		
Honduras	x	x	
Hungary	x	x	

States	Final Act signature	Convention signature	Convention ratification or accession
Iceland **	x	x	21/6/85
India	x	x	
Indonesia	x	x	3/2/86
Iran (Islamic Republic of) *	x	x	
Iraq *	x	x	30/7/85
Ireland	x	x	
Israel	x		
Italy *	x	7/12/84	
Jamaica	x	x	21/3/83
Japan	x	7/2/83	
Jordan	x		
Kenya	x	x	2/3/89
Kiribati			
Kuwait **	x	x	2/5/86
Lao People's Democratic Republic	x	x	
Lebanon		7/12/84	
Lesotho	x	x	
Liberia	x	x	
Libyan Arab Jamahiriya	x	3/12/84	
Liechtenstein		30/11/84	
Luxembourg *	x	5/12/84	
Madagascar		25/2/83	
Malawi		7/12/84	
Malaysia	x	x	
Maldives	x	x	
Mali *		19/10/83	16/7/85
Malta	x	x	
Marshall Islands f/	x		
Mauritania	x	x	
Mauritius	x	x	
Mexico	x	x	18/3/83
Monaco	x	x	
Mongolia	x	x	
Morocco	x	x	
Mozambique	x	x	

States	Final Act signature	Convention signature	Convention ratification or accession
Myanmar	x	x	
Namibia h/	x	x	18/4/83
Nauru	x	x	
Nepal	x	x	
Netherlands	x	x	
New Zealand	x	x	
Nicaragua *		9/12/84	
Niger	x	x	
Nigeria	x	x	14/8/86
Northern Mariana Islands f/	x		
Norway	x	x	
Oman * **	x	1/7/83	17/8/89
Pakistan	x	x	
Panama	x	x	
Papua New Guinea	x	x	
Paraguay	x	x	26/9/86
Peru	x		
Philippines * **	x	x	8/5/84
Poland	x	x	
Portugal	x	x	
Qatar *		27/11/84	
Republic of Korea	x	14/3/83	
Romania *	x	x	
Rwanda	x	x	
Saint Kitts and Nevis		7/12/84	
Saint Lucia	x	x	27/3/85
Saint Vincent and the Grenadines	x	x	
Samoa	x	28/9/84	
San Marino			
Sao Tome and Principe *		13/7/83	3/11/87
Saudi Arabia		7/12/84	
Senegal	x	x	25/10/84
Seychelles	x	x	
Sierra Leone	x	x	
Singapore	x	x	

States	Final Act signature	Convention signature	Convention ratification or accession
Solomon Islands	x	x	
Somalia	x	x	24/7/89
South Africa *		5/12/84	
Spain *	x	4/12/84	
Sri Lanka	x	x	
Sudan *	x	x	23/1/85
Suriname	x	x	
Swaziland		18/1/84	
Sweden *	x	x	
Switzerland	x	17/10/84	
Syrian Arab Republic			
Thailand	x	x	
Togo	x	x	16/4/85
Tonga			
Trinidad and Tobago	x	x	25/4/86
Tunisia **	x	x	24/4/85
Turkey			
Tuvalu	x	x	
Uganda	x	x	9/11/90
Ukrainian SSR *	x	x	
Union of Soviet Socialist Republics *	x	x	
United Arab Emirates	x	x	
United Kingdom	x		
United Republic of Tanzania **	x	x	30/9/85
United States of America	x		
Uruguay *	x	x	
Vanuatu	x	x	
Venezuela	x		
Viet Nam	x	x	
Yemen * e/	x	x	
Yugoslavia **	x	x	5/5/86
Zaire	x	22/8/83	17/2/89
Zambia	x	x	7/3/83
Zimbabwe	x	x	
TOTAL STATES	144	156	47

Others (Art. 305, 1. (c),(d),(e) and (f))	Final Act signature	Convention signature	Convention ratification or accession
Cook Islands	x	x	
European Economic Community *	x	7/12/84	
Niue		5/12/84	
Trust Territory of the Pacific Islands (Palau)	x		
West Indies Associated States			
TOTAL STATES AND OTHERS	147	159	47

OTHER ENTITIES WHICH SIGNED THE FINAL ACT OF THE CONFERENCE

African National Congress
Netherlands Antilles
Palestine Liberation Organization i/
Pan Africanist Congress of Azania
South West Africa People's Organization

a/ Those States which signed the Final Act and/or the Convention on 10 December 1982 are indicated by an "x". Those which signed at a later date are indicated by that date.

b/ Those States or entities which acceded to the Convention are indicated by an "(a)", which follows the date of accession.

c/ Those States which made declarations at the time of signature of the Convention are indicated by an asterisk (*).

d/ Those States which made declarations at the time of ratification of the Convention are indicated by a double asterisk (**).

e/ On 22 May 1990 Democratic Yemen and Yemen merged to form a single State. Since that date they have been represented at the United Nations as one Member with the name "Yemen". Yemen is party to the Convention.

f/ The Security Council, by its resolution 683 (1990) of 22 December 1990, decided that "the objectives of the Trusteeship Agreement have been fully attained, and the applicability of the Trusteeship Agreement has terminated, with respect to those entities".

g/ Through accession of the German Democratic Republic to the Federal Republic of Germany with effect from 3 October 1990, the two German States have united to form one sovereign State. As from the date of unification, the Federal Republic of Germany acts in the United Nations under the designation of "Germany". As far as the Law of the Sea Convention is concerned, no information has beer received so far.

h/ Namibia became an independent State as of 21 March 1990 and a Member of the United Nations as of 23 April 1990. The instrument of ratification was deposited by the United Nations Council of Namibia on behalf of Namibia on 18 April 1983.

i/ In accordance with General Assembly resolution 43/177 of 15 December 1988, as of that date, the designation "Palestine" should be used in place of the designation "Palestine Liberation Organization".

B. Chronological order of ratifications of, and accessions to, the Convention, giving each State's regional group 1/

	Date	State	Regional group
1.	10 December 1982	Fiji	Asian
2.	7 March 1983	Zambia	African
3.	18 March 1983	Mexico	Latin Am./Carib.
4.	21 March 1983	Jamaica	Latin Am./Carib.
5.	18 April 1983	Namibia	African
6.	7 June 1983	Ghana	African
7.	29 July 1983	Bahamas	Latin Am./Carib.
8.	13 August 1983	Belize	Latin Am./Carib.
9.	26 August 1983	Egypt	African
10.	26 March 1984	Côte d'Ivoire	African
11.	8 May 1984	Philippines	Asian
12.	22 May 1984	Gambia	African
13.	15 August 1984	Cuba	Latin Am./Carib.
14.	25 October 1984	Senegal	African
15.	23 January 1985	Sudan	African
16.	27 March 1985	Saint Lucia	Latin Am./Carib.
17.	16 April 1985	Togo	African
18.	24 April 1985	Tunisia	African
19.	30 May 1985	Bahrain	Asian
20.	21 June 1985	Iceland	Western European and Other States
21.	16 July 1985	Mali	African
22.	30 July 1985	Iraq	Asian
23.	6 September 1985	Guinea	African
24.	30 September 1985	United Republic of Tanzania	African
25.	19 November 1985	Cameroon	African
26.	3 February 1986	Indonesia	Asian
27.	25 April 1986	Trinidad and Tobago	Latin Am./Carib.
28.	2 May 1986	Kuwait	Asian
29.	5 May 1986	Yugoslavia	Eastern European
30.	14 August 1986	Nigeria	African
31.	25 August 1986	Guinea-Bissau	African
32.	26 September 1986	Paraguay	Latin Am./Carib.
33.	21 July 1987	Yemen	Asian
34.	10 August 1987	Cape Verde	African
35.	3 November 1987	Sao Tome and Principe	African
36.	12 December 1988	Cyprus	Asian
37.	22 December 1988	Brazil	Latin Am./Carib.
38.	2 February 1989	Antigua and Barbuda	Latin Am./Carib.
39.	17 February 1989	Zaire	African
40.	2 March 1989	Kenya	African
41.	24 July 1989	Somalia	African
42.	17 August 1989	Oman	Asian
43.	2 May 1990	Botswana	African
44.	9 November 1990	Uganda	African
45.	5 December 1990	Angola	African
46.	25 April 1991	Grenada	Latin Am./Carib.
47.	29 April 1991	*Federated States of Micronesia	Asian

1/ States having acceded to the Convention are indicated by an asterisk (*).

II. LEGAL INFORMATION RELEVANT TO THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

A. Recent national legislation received from Governments

1. Australia

Proclamation to establish Australia's territorial sea, 13 November 1990*

[Original: English]

The Permanent Mission of Australia to the United Nations presents its compliments to the Secretary-General of the United Nations and wishes to advise that, on 20 November 1990, Australia's territorial sea was extended, by Proclamation, from 3 nautical miles to 12 nautical miles. This action was taken in terms consistent with article 3 of the 1982 United Nations Convention on the Law of the Sea.

Following is the text of a news release from the Minister for Foreign Affairs and Trade and the Attorney-General, issued today, 13 November 1990:

> The Minister for Foreign Affairs and Trade, Senator Gareth Evans, and the Attorney-General, Michael Duffy, announced today that the Government had agreed to extend Australia's territorial sea from 3 nautical miles to 12 nautical miles.
>
> The Ministers said that the right to a 12 nautical mile territorial sea was well established internationally and significant advantages would flow to Australia from extending Australia's sovereignty over its water, seabed and airspace out to 12 nautical miles.
>
> "It will allow us more effectively to control Australia's marine environment and its living and non-living resources. The ability to enforce oil and other marine pollution measures, as well as regulated navigation, in our extended 12 nautical mile territorial sea, will be another safeguard in protecting such valuable areas as the Great Barrier Reef", the Ministers said.
>
> It will also provide Australia with considerable defence, customs and quarantine advantages as we will now be able to exercise our sovereignty, consistent with international law, out to 12 nautical miles.
>
> The Ministers also said that the 1979 offshore constitutional settlement with the state governments would not be affected by the decision. It was agreed at that time that these arrangements were to apply only to the 3 nautical mile territorial sea, irrespective of whether Australia subsequently moved to a 12 nautical mile territorial sea.
>
> "A proclamation extending Australia's territorial sea to 12 nautical miles will be issued under the Seas and Submerged Lands Act, with effect from 20 November 1990", the Ministers said.

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* Communicated by the Permanent Mission of Australia to the United Nations in Note Verbale No. 269/90, dated 29 November 1990.

2. Yugoslavia

Act concerning the coastal sea and the continental shelf, 23 July 1987*

[Original: Croatian]**

Article 1

The sovereignty of the Socialist Federal Republic of Yugoslavia (hereinafter referred to as "the SFRY") shall extend to the coastal sea of the SFRY, to the airspace above it and to the seabed and subsoil of that sea.

The coastal sea of the SFRY consists of the internal waters and the territorial sea.

Article 2

The terms used in this Act have the following meanings:

(1) "Foreign merchant ship" means a ship which has the nationality of a foreign State and is used for commercial purposes, or any other foreign ship which is not referred to in items (2) to (5) of this article;

(2) "Foreign fishing vessel" means a vessel which has the nationality of a foreign State and is intended and equipped for catching fish or other living resources in the sea and on the seabed;

(3) "Foreign yacht" means a ship which has the nationality of a foreign State and is used for non-commercial purposes, for amusement, sport or recreation;

(4) "Foreign warship" means a ship, including submarines, belonging to the armed forces of a foreign State, bearing the external marks distinguishing such ships of its nationality, under the command of a military person and manned by a military crew;

(5) "Group of foreign warships" means a number of foreign warships which navigate together under the command of one officer;

(6) "Foreign government ship" means a ship which is owned or operated by a foreign State, is not a warship and is used exclusively for non-commercial purposes of the foreign State;

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* Published in the Official Journal of the Socialist Federal Republic of Yugoslavia [Sluzbeni list SFRJ], No. 49, Saturday, 25 July 1990, pp. 1211-1216.

** Translation provided by the United Nations Secretariat.

(7) "Nuclear ship" means a ship driven by nuclear power or a ship which is equipped with a source of nuclear energy;

(8) "Scientific research vessel" means a vessel or other floating object equipped for the scientific or other exploration or exploitation of the sea, the seabed and its subsoil.

Article 3

The internal waters of the SFRY include:

(1) Ports and bays on the coast of the mainland and of islands;

(2) River mouths;

(3) Those parts of the sea which lie between the coast of the mainland and the baseline of the territorial sea referred to in article 16, second paragraph, items (2) and (3), of this Act.

The term "bay" in paragraph 1, item (1), of this article shall be deemed to include a well-marked indentation in the coast which has a surface area as large as, or larger than, that of a semicircle whose diameter is a line drawn across the mouth of that indentation.

The area of an indentation is that lying between the low-water mark around the shore of the indentation and a line joining the low-water mark of its natural entrance points.

Article 4

A foreign merchant ship may enter in internal waters in order to call at a port of the SFRY intended for international maritime traffic, and a foreign yacht may also do so in order to call at other ports, in accordance with the regulations which govern maritime and internal navigation.

A foreign merchant ship may navigate in internal waters in order to call at or leave a port or in order to navigate between ports open to international maritime traffic, by the shortest customary route.

The federal administrative authority responsible for transport and communications may, if the interests of national defence or the safety of navigation so require, prescribe a different method of navigation in internal waters for the ships referred to in the second paragraph of this article.

Article 5

The transport of goods and passengers in the coastal sea of the SFRY (cabotage) may be carried on solely by Yugoslav ships.

As an exception to the provisions of the first paragraph of this article, the competent federal authority may also permit a foreign ship to transport goods and passengers in the coastal sea of the SFRY under the conditions prescribed by the federal legislation which governs maritime and internal navigation.

Article 6

The passage of foreign warships, foreign government ships, foreign nuclear ships, foreign fishing vessels and foreign scientific research vessels through the internal waters of the SFRY is prohibited.

A foreign warship, a foreign government ship, a foreign fishing vessel or a foreign scientific research vessel may enter the internal waters of the SFRY for the purpose of a stay therein if it obtains prior approval therefor; such approval shall be given:

(1) For a foreign warship, by the Federal Secretariat of National Defence, by agreement with the federal administrative authority responsible for external affairs;

(2) For a foreign scientific research vessel, by the Federal Secretariat of National Defence, by agreement with the federal administrative authority responsible for external affairs and with the federal administrative authority responsible for internal affairs;

(3) For other foreign government ships, by the federal administrative authority responsible for transport and communications, by agreement with the federal administrative authority responsible for external affairs and with the federal administrative authority responsible for internal affairs;

(4) For a foreign fishing vessel, by the competent authority of the republic concerned.

Approval may not be given to foreign warships of a single nationality for more than four visits a year.

Approval for a visit to or a stay in the internal waters of the SFRY may not be given to foreign nuclear warships, to foreign warships which carry nuclear weapons or to special-purpose ships if their stay poses a danger to the security of the SFRY.

Approval for a visit to or a stay in the internal waters of the SFRY likewise may not be given to a foreign warship if the ship, a boat or aircraft thereof or the crew thereof participated immediately before entering the internal waters, or is to participate after the completion of the stay or the visit, in any military or other activities which may be harmful to the general interests or the prestige of the SFRY.

Article 7

The Federal Executive Council shall deny permission for a visit to or a stay in the internal waters of the SFRY to a foreign warship or a group of foreign warships if a ship, a boat or aircraft thereof or the crew thereof participated immediately before entering the internal waters of the SFRY, or is to participate after the completion of the stay or the visit, in any military or other activities which may be harmful to the general interests or the prestige of the SFRY or if it does not comply with the provisions of this Act and of other regulations.

Article 8

Not more than three combat warships and two auxiliary military ships of a single nationality may visit the internal waters of the SFRY at the same time, subject to the condition that such ships shall not include any surface ship whose total displacement is greater than 10,000 tons or any submarine whose surface displacement is greater than 4,000 tons.

A visit by a foreign warship to the internal waters of the SFRY may not last longer than 10 days.

As an exception to the provisions of the first and second paragraphs of this article, the Federal Executive Council may, in individual cases, where the special interests of the SFRY so require, approve the visit of foreign warships even if the conditions prescribed by the said provisions are not satisfied.

During a visit to the internal waters of the SFRY, only the crew of a foreign warship may be taken on board the ship.

Article 9

Repairs may be made in the coastal sea of the SFRY on foreign surface warships with a total displacement of up to 10,000 tons or submarines with a surface displacement of up to 4,000 tons, after the securing of prior approval, which shall be given by the Federal Secretariat of National Defence, by agreement with the federal administrative authority responsible for external affairs.

Repairs on foreign warships may be made at military repair shops and shipyards designated by the Federal Secretariat of National Defence.

Approval for repairs on foreign warships shall be given within the limits of the free capacity and technical capabilities of the military repair shops and shipyards referred to in the second paragraph of this article.

No more than three foreign warships of the same nationality may undergo repairs in the coastal sea of the SFRY at the same time.

Approval for repairs on a foreign warship shall be given for the period of time required for the repairs, but such period shall not exceed 16 months.

As an exception to the provisions of the first, fourth and fifth paragraphs of this article, the Federal Executive Council may, in individual cases, where the special interests of the SFRY so require, approve repairs on a foreign warship even if the conditions prescribed by the said provisions are not satisfied.

Repairs in the coastal sea of the SFRY may not be approved for foreign nuclear warships, foreign warships which carry nuclear weapons and special-purpose ships whose stay poses a danger to the security of the SFRY.

Repairs in the coastal sea of the SFRY likewise may not be approved for a foreign warship if the ship, a boat or aircraft thereof or the crew thereof participated immediately before entering the coastal sea of the SFRY, or is to participate after the completion of the repairs, in any military or other activities which may be harmful to the general interests or the prestige of the SFRY.

The Federal Executive Council shall deny permission for repairs on a foreign warship in the coastal sea of the SFRY if the ship, a boat or aircraft thereof or the crew thereof participated immediately before entering the coastal sea of the SFRY, or is to participate after the completion of the repairs, in any military or other activities which may be harmful to the general interests or the prestige of the SFRY or if it does not comply with the provisions of this Act and of other regulations.

Article 10

Repairs on a foreign warship shall be made on the basis of a contract concluded with the authorized representative of the foreign warship by the Federal Secretariat of National Defence or, in accordance with an authorization from the Federal Secretary of National Defence, by the federal organization responsible for sales and reserves of special-purpose products.

A foreign warship which is to be repaired may have on board only as many crew members as are necessary for the repair work, but the number of such crew members shall not exceed one third f the total number of crew members of the ship.

A foreign warship to which approval for repairs has been given shall be required, immediately after entering a Yugoslav port, to unload its fuel and lubricants, ammunition and other combat supplies to a place designated for that purpose by the military commander responsible for the port in which the repairs are to be made.

During the period of the repairs, the crew of the foreign warship may stay and circulate in the port in which the repairs on the ship are being made. At the request of the commander of the foreign warship, the military commander referred to in the third paragraph of this article may, by agreement with the internal-affairs authority responsible for the control of crossings of the State frontier, permit individual members of the ship's crew to travel outside the port as well.

During the period of the repairs on the foreign warship, workers participating in the repair work on the ship shall be subject to Yugoslav regulations.

Article 11

Repairs on foreign government ships, foreign fishing vessels and foreign scientific research vessels may be made in the coastal sea of the SFRY after prior approval has been obtained; such approval shall be given:

(1) For a foreign government ship, by the federal administrative authority responsible for transport and communications, by agreement with the federal administrative authority responsible for external affairs and with the federal administrative authority responsible for internal affairs;

(2) For a foreign fishing vessel, by the competent authority of the republic concerned;

(3) For a foreign scientific research vessel, by the Federal Secretariat of National Defence, by agreement with the federal administrative authority responsible for external affairs and with the federal administrative authority responsible for internal affairs.

Approval for the repairs on foreign ships referred to in the first paragraph of this article shall be given within the limitations of the free capacity and technical capabilities of the shipyard concerned.

Approval for repairs on a foreign government ship or a foreign scientific research vessel shall be given for the period of time required for the repairs, but such period shall not exceed 16 months.

Article 12

The repairs on foreign ships and vessels referred to in article 11 of this Act shall be made on the basis of a contract that the relevant organization of associated labour at whose establishment the repairs are to be made, will conclude with the authorized representative of the foreign ship or vessel.

A foreign government ship or a foreign scientific research vessel which is to be repaired may have on board only as many crew members as are necessary for the repair work, but the number of such crew members shall not exceed one third of the total number of crew members.

During the period of the repairs, the crew of the foreign ship or vessel referred to in article 11 of this Act may stay and circulate in the port in which the repairs on the ship or vessel are being made. At the request of the master of the ship or vessel, the internal-affairs authority responsible for the control of crossings of the State frontier may permit individual members of the crew of the ship or vessel to travel outside the port as well.

During the period of the repairs on the foreign ship or vessel referred to in article 11 of this Act, workers participating in the repair work on the ship or vessel shall be subject to Yugoslav regulations.

Article 13

Repairs on foreign merchant ships and foreign yachts in the coastal sea of the SFRY shall be made without special approval. The relevant organization of associated labour or other corporate entity which accepts the foreign merchant ship or foreign yacht for repairs shall report the fact to the competent authority of the republic concerned.

Article 14

The official in charge of the federal administrative authority responsible for internal affairs, by agreement with the official in charge of the federal administrative authority responsible for transport and communications, may designate prohibited zones in internal waters.

Foreign ships or vessels may not navigate through prohibited zones in internal waters.

As an exception to the provisions of the second paragraph of this article, the official in charge of the federal administrative authority responsible for internal affairs may, by agreement with the Federal Secretary of National Defence and with the official in charge of the federal administrative authority responsible for transport and communications, approve navigation by foreign ships or vessels in prohibited zones in internal waters.

The official in charge of the federal administrative authority responsible for internal affairs shall, by agreement with the official in charge of the federal administrative authority responsible for transport and communications, prescribe which national ships or vessels, and under which conditions, are allowed to navigate through prohibited zones in internal waters.

If prohibited zones in internal waters are situated on or in the immediate vicinity of navigation routes, the official document establishing the said zones shall be published in the Official Journal of the SFRY [Sluzbeni list SFRJ] and in the bulletin "Notice to Mariners" [Oglas za pomorce] published by the hydrographic research organization of the Federal Secretariat of National Defence.

Article 15

If, as a result of force majeure or distress, a foreign ship or vessel is forced to enter the internal waters of the SFRY, it shall report the fact immediately to the authority competent for matters relating to the safety of navigation in port.

Article 16

The territorial sea of the SFRY is a belt of the sea whose breadth is 12 nautical miles measured from the baseline towards the high seas.

The baseline is formed by:

(1) The low-water line along the shore of the mainland and the coasts of islands;

(2) The straight lines closing the mouths of bays;

(3) The straight lines connecting the following points on the shore of the mainland and on the shore of the islands:

(a) Cape Mendra - Cape Platamuni;

(b) Cape Zarubaca - the south-eastern cape of the island of Mrkan - the south cape of the island of Sv. Andrija - Cape Gruj (on the island of Mljet);

(c) Cape Korizmeni (on the island of Mljet) - the island of Glavat - Cape Struga (on the island of Lastovo) - Cape Veljeg Mora (on the island of Lastovo) - the south-western cape of the island of Kopiste - Cape Velo Dance (on the island of Korcula) - Cape Proizd - the south-western cape of the island of Vodnjak - Cape Rat (on the island of Drvenik Mali) - Mulo Rock - Blitvenica Rock - the island of Purara - the island of Balun - the island of Mrtovac - the island of Garmenjak Veli - the point on Dugi Otok which has the coordinates 43° 53' 12" N and 15° 10' 00" E;

(d) Cape Veli Rat (on Dugi Otok) - Masarine Rock - Cape Margarina (on the island of Susak) - the Albanez Shoals - the island of Grunj - Sv. Ivan Rock on the high seas - the Mramori Shoals - the island of Altiez - Cape Kastanjija.

The straight lines referred to in the second paragraph, item (3), of this article shall be drawn on the marine chart entitled "Adriatic Sea", S-101, on a scale of 1:750,000, published by the hydrographic research organization referred to in article 14, fifth paragraph, of this Act. A reproduction of that chart is an integral part of this Act.

In the determination of the baseline of the territorial sea, the outermost permanent harbour works which form an integral part of the harbour system shall be regarded as part of the coast.

The outer limit of the territorial sea is a line every point of which is 12 nautical miles distant from the nearest point of the baseline.

Article 17

In accordance with the conditions prescribed by this Act and by the regulations adopted on the basis of this Act, ships of all States shall enjoy the right of innocent passage through the territorial sea of the SFRY.

The term "innocent passage of a ship" shall be understood to mean navigation through the territorial sea of the SFRY without entering internal waters, or for the purpose of proceeding to internal waters, or for the purpose of reaching the high seas from the said waters, so long as it is not prejudicial to the peace, good order or security of the SFRY.

If a foreign warship intends to exercise the right of innocent passage through the territorial sea of the SFRY, the State of nationality of the said ship shall report the fact to the federal administrative authority responsible for external affairs not later than 24 hours before the entry of the ship into the territorial sea of the SFRY.

If a foreign ship exercises the right of innocent passage referred to in the second paragraph of this article, the passage shall be continuous and expeditious.

A foreign ship exercising the right of innocent passage shall be permitted to stop or anchor only in so far as the same are incidental to ordinary navigation or are rendered necessary by force majeure or distress, or for the purpose of rendering assistance to persons, ships or aircraft which are in danger or have suffered an accident.

Article 18

Innocent passage within the meaning of the provisions of article 17 of this Act shall not be deemed to include the passage of a foreign ship through the territorial sea of the SFRY if the said ship engages in any of the following activities:

(1) Any threat or use of force against the sovereignty, territorial integrity of the SFRY or against any social structure established by the Constitution of the SFRY, or in any other manner in violation of the principles of international law;

(2) Any exercise or practice with weapons of any kind;

(3) Any act aimed at collecting information or data to the prejudice of the defence or security of the SFRY;

(4) Any act of propaganda aimed at affecting the defence or security of the SFRY;

(5) The launching, landing or taking on board of any aircraft;

(6) The launching, landing or taking on board of any military device;

(7) The loading or unloading of any commodity, currency or person contrary to the customs, fiscal, sanitary laws and regulations of the SFRY or to the regulations concerning the entry of foreigners into and the stay of foreigners in the SFRY;

(8) Any act of wilful and serious pollution of the sea or its vicinity;

(9) Any fishing activities in the sea;

(10) The carrying out of research or survey activities;

(11) Any act aimed at interfering with any systems of communication or any other facilities or installations of the SFRY;

(12) Any other activity not having a direct bearing on passage.

Article 19

During the passage through the territorial sea of the SFRY, a foreign fishing vessel is obliged to keep its fishing gear and equipment used for fishing or for catching other living resources in the sea and on the seabed in the ship's hold or sealed up.

The foreign fishing vessel referred to in the first paragraph of this article shall traverse the territorial sea of the SFRY by the shortest way with a speed which is not higher than the economic one, without stopping or anchoring, except when indispensable because of force majeure or distress, and shall be clearly marked and identifiable as being a fishing vessel.

The provisions of the first and second paragraphs of this article do not apply to a fishing vessel which has permission to fish in the territorial sea of the SFRY so long as it stays in the zone where is is permitted to fish.

Article 20

Not more than three foreign warships of the same nationality may traverse the territorial sea of the SFRY at the same time.

Foreign warships, foreign tankers, foreign nuclear ships and other foreign ships carrying nuclear or other dangerous or noxious substances when exercising the right of innocent passage through the territorial sea of the SFRY shall use the routeing systems designated by a special regulation issued by the federal administrative authority responsible for transport and communications, by agreement with the Federal Secretariat of National Defence.

The routeing systems referred to in the second paragraph of this article shall be drawn on the marine chart entitled "Adriatic Sea", S-101, on a scale of 1:750,000, which is issued by the hydrographic research organization referred to in article 14, fifth paragraph, of this Act.

Article 21

During its passage through the territorial sea of the SFRY, a foreign submarine shall navigate on the surface and show the flag of its State.

Article 22

The Federal Secretary of National Defence, in agreement with the official in charge of the federal administrative authority responsible for internal affairs and the official in charge of the federal administrative authority responsible for transport and communications, may suspend temporarily in specified areas of the territorial sea of the SFRY the innocent passage of foreign ships if such suspension is essential for the protection of its security.

The Federal Secretary of National Defence, by agreement with the official in charge of the federal administrative authority responsible for internal affairs and the official in charge of the federal administrative authority responsible for transport and communications, shall prescribe which national ships, and under which conditions, are allowed to navigate through the areas referred to in the first paragraph of this article.

The official document concerning the limits of a zone referred to in the first paragraph of this article, with any necessary additions, shall be published in good time in the bulletin "Notice to Mariners".

Article 23

The continental shelf of the SFRY shall include the seabed and subsoil of the submarine areas beyond the outer limit of the territorial sea to the lines established by international treaties.

Article 24

The SFRY shall exercise sovereign rights over the continental shelf relating to the exploration and exploitation of the natural resources and other resources of the shelf.

The "natural resources" referred to in the first paragraph of this article consist of the mineral and other non-living resources of the seabed and subsoil together with living organisms belonging to sedentary species, that is to say, organisms which at the harvestable stage either are immobile on or under the seabed or are unable to move except in constant physical contact with the seabed or the subsoil.

The term "other resources" used in the first paragraph of this article means archaeological and other buried articles.

Article 25

The rights referred to in article 24, first paragraph, of this Act do not affect the legal status of the waters above the continental shelf of the SFRY or of the airspace above them.

The exercise of the rights referred to in the first paragraph of this article shall not infringe or result in any unjustifiable interference with navigation, fishing, the protection of the living resources of the sea or with fundamental oceanographic or other scientific research of a public nature.

Article 26

The exploration and exploitation of the natural resources and other resources of the continental shelf of the SFRY and the construction, operation and use of the necessary installations and structures for such exploration and exploitation may be carried on in accordance with the conditions prescribed by the Act and by the regulations which are adopted on the basis of the Act.

The installations and structures referred to in the first paragraph of this article shall be permanently marked by light signals, and other signals shall be removed when the exploitation for the purpose of which they were constructed is discontinued.

Article 27

A contractor engaged in the exploration and exploitation of natural resources in the continental shelf of the SFRY shall establish around the installations and structures referred to in article 26, first paragraph, of this Act safety zones which may not exceed a distance of 500 metres measured from each point of the outer edge of the installation or structure.

Navigation through the safety zones referred to in the first paragraph of this article shall be prohibited except when authorized by special regulations.

The contractor referred to in the first paragraph of this article shall take appropriate measures on the installations and structures, and in the safety zones, for the protection of the sea and the seabed and their vicinity from harmful wastes.

Article 28

The installations and structures referred to in article 26, first paragraph, and the safety zones referred to in article 27, first paragraph, of this Act may not be established where interference may be caused to the use of recognized sea lanes essential to international navigation.

Article 29

The contractor shall report to the authority responsible for matters relating to the safety of navigation, the construction, the way of permanent marking by light signals and other signals, the removal of the installations and structures referred to in article 26 of this Act and the establishment of the safety zones referred to in article 27, first paragraph, of this Act.

The authority referred to in the first paragraph of this article shall publish the data referred to in good time in the bulletin "Notice to Mariners".

Article 30

The hot pursuit of a foreign ship may be undertaken if the competent authority has good reason to believe that the ship or one of its boats or other craft working as a team has violated this Act or any other regulations of the SFRY.

The hot pursuit of a foreign ship may commence only when that ship or one of its boats or other craft working as a team is within the limits of the coastal sea of the SFRY and if it does not stop after a visual or auditory signal to stop has been given at a distance which enables it to receive the signal.

The hot pursuit of a foreign ship may only be continued to the open sea, if it has not been interrupted, until such time as the foreign ship enters its own territorial sea or the territorial sea of a third State.

The hot pursuit may be exercised out only by warships or military aircraft of the SFRY or other ships or aircraft authorized to that effect. In order to begin the hot pursuit it is not necessary that the pursuing ship or aircraft be within the coastal sea of the SFRY.

Article 31

A fine of 500,000 to 10,000,000 dinars for an economic offence [privredni prijestup] shall be imposed on any organization of associated labour or other corporate entity:

(1) If it explores or exploits the natural resources and other resources of the continental shelf of the SFRY in a manner which unjustifiably interferes with navigation, fishing, the protection of the living resources of the sea or with fundamental oceanographic or other scientific research of a public nature (article 25);

(2) If, contrary to the conditions prescribed by this Act or by a regulation adopted on the basis of this Act, it explores or exploits natural resources and other resources in the continental shelf of the SFRY (article 26, first paragraph);

(3) If it does not permanently mark with light signals or other signals the installations and structures established in the continental shelf of the SFRY for the exploration or exploitation of the natural resources and other resources of that shelf or if it does not remove the said installations and structures when the exploitation for the purpose of which they were constructed is discontinued (article 26, second paragraph);

(4) If in the exploration or exploitation of natural resources and other resources in the continental shelf of the SFRY and in the safety zones established around the installations and structures for the exploration and exploitation of the natural resources and other resources of the shelf of the SFRY, it does not take appropriate measures for the protection of the sea or the seabed and their vicinity from harmful wastes (article 27, third paragraph);

(5) If the installations or structures for the exploration or exploitation of natural resources or other resources in the continental shelf of the SFRY are established at locations at which they may interfere with the use of recognized sea lanes essential to international navigation (article 28).

Commission of the actions referred to in the first paragraph of this article shall also subject to a fine of 50,000 to 500,000 dinars for an economic offence a responsible official of the relevant organization of associated labour or other corporate entity.

Article 32

A fine of 100,000 to 1,000,000 dinars for a maritime infraction [pomorski prekrsaj] shall be imposed on a foreign corporate entity even if it has no business establishment in the SFRY:

(1) If a foreign merchant ship enters internal waters without intending to call at a port of the SFRY which is open to international maritime traffic or if a foreign yacht enters the internal waters of the SFRY without the intention of also calling at another port designated by the regulations which govern maritime and internal navigation (article 4, first paragraph);

(2) If a foreign merchant ship, during its navigation in internal waters in order to call at a port of the SFRY which is open to international maritime traffic or in leaving that port, or during navigation between ports of the SFRY open to international maritime traffic, does not navigate by the shortest customary route (article 4, second paragraph);

(3) If a ship carries goods or passengers in the coastal sea of the SFRY without permission from the competent authority (article 5, second paragraph);

(4) If a ship or a vessel navigates through the internal waters of the SFRY without approval from the competent authority of the SFRY, except in the event of force majeure or distress (article 6);

(5) If during the period of repairs there remain on board a ship more crew members than are necessary for the repair work or more than one third of the total number of crew members (article 12, second paragraph);

(6) If a ship enters a prohibited zone in the internal waters of the SFRY without approval from the competent authority (article 14, third paragraph);

(7) If a ship has been forced as a result of force majeure or distress to enter internal waters and does not report the fact to the authority competent for matters relating to the safety of navigation in port (article 15);

(8) If a foreign fishing vessel, during its passage through the territorial sea of the SFRY, does not keep its fishing gear and equipment used for fishing or for catching other living resources in the sea and on the seabed in the ship's hold or sealed up, or if it does not traverse the territorial sea of the SFRY by the shortest way with a speed not higher than the economic one, or if during its passage it stops and anchors in the territorial sea of the SFRY, where the stopping and anchoring are not due to force majeure or distress, or if during its passage through the territorial sea of the SFRY it does not carry clear marks indicating that it is a fishing vessel (article 19, first paragraph);

(9) If a foreign submarine, during its passage through the territorial sea of the SFRY, does not navigate on the surface and does not show the flag of its State (article 21);

(10) If a ship navigates through a safety zone established around installations and structures intended for the exploration and exploitation of the natural resources and other resources of the continental shelf of the SFRY, unless the zone is one through which navigation is authorized by special regulations (article 27, second paragraph).

A fine of 20,000 to 200,000 dinars for an infraction shall be imposed on a responsible official of a foreign corporate entity for the actions referred to in the first paragraph of this article.

A fine of 20,000 to 200,000 dinars or a penalty of imprisonment for up to 30 days for an infraction, as referred to in the first paragraph of this article, shall be imposed on the master of the foreign ship or on another person who replaces him on board that ship.

Article 33

A fine of 100,000 to 1,000,000 dinars for an infraction shall be imposed on any organization of associated labour or other corporate entity if a ship which it uses and which is not permitted by any regulation to navigate through a prohibited zone enters internal waters or navigates through a prohibited zone in internal waters contrary to the prescribed conditions (article 14, fourth paragraph).

A fine of 20,000 to 200,000 dinars for an infraction shall be imposed for the actions referred to in the first paragraph of this article on a responsible official of any organization of associated labour or other corporate entity.

A fine of 20,000 to 200,000 dinars or a penalty of imprisonment for up to 30 days for an infraction shall be imposed for the actions referred to in the first paragraph of this article on the master of the ship or on another person who replaces him on board that ship.

Article 34

A fine of 50,000 to 500,000 dinars for an infraction [prekrsaj] shall be imposed on any organization of associated labour or other corporate entity:

(1) If it accepts a foreign merchant ship or a foreign yacht for repairs and does not report the fact to the competent authority of the republic concerned (article 13);

(2) If it does not report to the authority competent for matters relating to the safety of navigation in port the manner in which the installations and structures for the exploration and exploitation of natural resources and other resources in the continental shelf of the SFRY are permanently marked and their removal thereof or does not report the establishment of the safety zones around the said installations and structures (article 29).

A fine of 10,000 to 50,000 dinars for an infraction shall also be imposed for the actions referred to in the first paragraph of this article on a responsible official of any organization of associated labour or other corporate entity.

Article 35

A fine of 100,000 to 1,000,000 dinars for an infraction shall be imposed on an individual who independently engages in any personal labour activity using means owned by a citizen who commits the actions referred to in article 31, first paragraph, of this Act.

A fine of up to 200,000 dinars for an infraction shall be imposed on an individual who commits the actions referred to in article 31, first paragraph, of this Act.

A fine of up to 200,000 dinars for an infraction shall be imposed on a member of the crew of a foreign ship who, during the period of repairs, travels outside the port without approval from the internal-affairs authority responsible for the control of crossings of the State frontier (article 12, third paragraph).

Article 36

The Federal Executive Council shall prescribe the manner in which, in accordance with the provisions of this Act, foreign warships, foreign government ships, foreign yachts and foreign scientific research vessels may enter, traverse and stay, and undergo repairs in the coastal sea of the SFRY and the manner in which foreign fishing vessels may traverse the territorial sea of the SFRY, and it shall adopt regulations concerning the storage and locking up of fishing gear and equipment used for fishing or for the catching of other living resources in the sea and on the seabed and concerning the special markings and lights which foreign fishing vessels shall have.

Article 37

The official in charge of the federal administrative authority responsible for internal affairs, by agreement with the Federal Secretary of National Defence, shall adopt regulations concerning the conduct of underwater activities (underwater photography, surveys of the seabed and the like).

The regulations referred to in the first paragraph of this article may include provisions relating to infractions of the said regulations for economic reasons.

Article 38

The provisions of this Act which apply to foreign yachts shall also apply to foreign boats intended for amusement, sport or recreation.

Article 39

On the date of the entry into force of this Act, the Act concerning the Coastal Sea and the Continental Shelf of the Socialist Federal Republic of Yugoslavia (Official Journal of the SFRY, Nos. 22/65, 25/70, 21/74 and 13/79) shall cease to have effect.

Article 40

This Act shall enter into force on the eighth day after the date of its publication in the Official Journal of the SFRY.

B. Treaties

1. Bilateral treaties

a. Agreement between the Government of Canada and the Government of the Union of Soviet Socialist Republics concerning the prevention of incidents at sea beyond the territorial sea, 20 November 1989

[Original: English, French and Russian]

The Government of Canada and the Government of the Union of Soviet Socialist Republics, hereinafter referred to as the Parties,

Desiring to ensure the safety of navigation of the ships of their respective armed forces and of the flight of their military aircraft beyond the territorial sea,

Acknowledging that actions prohibited by this Agreement should also not be taken against non-military ships and aircraft of the Parties,

Guided by the principles and rules of international law,

Have agreed as follows:

Article I

1. For the purposes of this Agreement:

(a) "ship" means:

(i) a warship belonging to the armed forces of one of the Parties bearing the external marks distinguishing warships of its nationality, under the command of an officer duly commissioned by the Government of that Party and whose name appears in the appropriate service list or its equivalent, and manned by a crew who are under regular armed forces discipline; and

(ii) an auxiliary ship belonging to the armed forces of one of the Parties, which includes all ships authorized to fly the auxiliary ship flag where such a flag has been established by that Party;

(b) "aircraft" means any military manned heavier-than-air or lighter-than-air craft, excluding spacecraft;

(c) "formation" means a disposition of two or more ships proceeding in company and manoeuvring together.

2. This Agreement shall apply to ships and aircraft operating beyond the territorial sea.

Article II

The Parties shall take measures to instruct the Commanding Officers of their respective ships to observe strictly the letter and spirit of the 1972 International Regulations for Preventing Collisions at Sea, hereinafter referred to as "the 1972 Collision Regulations". The Parties recognize that their freedom to conduct operations beyond the territorial sea is based on the principles established and recognized under international law.

Article III

1. In all cases ships of the Parties operating in proximity to each other, except when required to maintain course and speed under the 1972 Collision Regulations, shall remain well clear to avoid risk of collision.

2. Ships of one Party meeting or operating in the vicinity of a formation of the other Party shall, while conforming to the 1972 Collision Regulations, avoid manoeuvring in a manner which would hinder the evolutions of the formation.

3. Formations shall not conduct manoeuvres through areas of heavy traffic where internationally recognized traffic separation schemes are in effect.

4. Ships of one Party engaged in surveillance of ships of the other Party shall stay at a distance which avoids the risk of collision and shall also avoid executing manoeuvres embarrassing or endangering the ships under surveillance. Except when required to maintain course and speed under the 1972 Collision Regulations, a surveillant shall take positive early action so as, in the exercise of good seamanship, not to embarrass or endanger ships under surveillance.

5. When ships of the Parties are in sight of one another, such signals (flag, sound and light) as are prescribed by the 1972 Collision Regulations, the International Code of Signals and the Table of Special Signals set forth in the Annex to this Agreement shall be adhered to for signalling operations and intentions. At night, or in daytime in conditions of reduced visibility, or under conditions of lighting and at such distances when signal flags are not distinct, flashing light or Very High Frequency Radio Channel 16 (156.8 MHz) should be used.

6. Ships of the Parties:

(a) shall not simulate attacks by aiming guns, missile launchers, torpedo tubes or other weapons in the direction of ships and aircraft of the other Party;

(b) shall not launch in the direction of ships of the other Party any object which could be hazardous to those ships or constitute a hazard to navigation;

(c) shall not use searchlights or other illumination devices for the purpose of illuminating the navigation bridges of ships and cockpits of flying aircraft of the other Party;

(d) shall not use a laser in such a manner as to cause harm to personnel or damage to equipment aboard a ship or an aircraft of the other Party;

(e) shall not launch signal rockets in the direction of ships or aircraft of the other Party.

7. When conducting exercises with submerged submarines, supporting ships shall show the appropriate signals prescribed by the International Code of Signals, or in the Table of Special Signals set forth in the Annex to this Agreement, to warn ships of the presence of submarines in the area.

8. Ships of one Party when approaching ships of the other Party conducting operations which in accordance with rule 3 (g) of the 1972 Collision Regulations are restricted in their ability to manoeuvre, and particularly ships engaged in launching or landing aircraft as well as ships engaged in replenishment under way, shall take appropriate measures not to hinder manoeuvres of such ships and shall remain well clear.

Article IV

1. Commanders of aircraft of the Parties shall use the greatest caution and prudence in approaching aircraft and ships of the other Party, in particular ships engaged in launching or landing aircraft, and, in the interest of mutual safety, shall not permit:

(a) simulated attacks or the simulated use of weapons against ships or aircraft of the other Party;

(b) the performance of aerobatics over ships of the other Party;

(c) the launch in the direction of ships of the other Party of any objects which could be hazardous to those ships or constitute a hazard to navigation.

2. Aircraft of the Parties flying in darkness or under instrument conditions shall, whenever feasible, display navigation lights.

Article V

1. Actions of ships and aircraft prohibited by this Agreement shall also not be taken against non-military ships and aircraft of the Parties.

2. The Parties shall take measures to notify the non-military ships and aircraft of each Party about the provisions of this Agreement directed at securing mutual safety.

Article VI

The Parties shall provide, through the established system of radio broadcasts of information and warning to mariners and airmen, normally not less than three to five days in advance, notification of actions beyond the territorial sea which represent a danger to navigation or to aircraft in flight.

Article VII

1. The Parties shall exchange in a timely manner appropriate information concerning instances of collisions, incidents which result in damage, and other incidents at sea between ships and aircraft of the Parties. The Canadian Forces shall provide such information through the Naval or other Military Attaché of the USSR in Ottawa, and the Navy of the USSR shall provide such information through the Canadian Forces Naval Attaché or other Canadian Forces Attaché in Moscow.

2. The same procedure as described in paragraph 1 of this article shall also be used by the Parties to exchange information on other incidents at sea, if immediate receipt of such information may be considered important for the other Party.

Article VIII

This Agreement shall enter into force on the date of its signature. It may be terminated by either Party giving six months' written notice of termination to the other Party.

Article IX

Representatives of the Parties shall meet within one year after the date of the signing of this Agreement to review the implementation of its terms, as well as possible ways of promoting a higher level of safety of navigation of their ships and flight of their aircraft beyond the territorial sea. Similar consultations shall be held thereafter annually, or more frequently as the Parties may decide.

IN WITNESS WHEREOF the undersigned, duly authorized thereto by their respective Governments, have signed this Agreement.

ANNEX

Table of special signals 1/

The following signals are to be preceded by the group YANKEE VICTOR ONE (YVI):

Signals	Meaning of signals
IR1	I am engaged in oceanographic operations.
IR2(...)	I am streaming/towing hydrographic survey equipment ... metres astern.
IR3	I am recovering hydrographic survey equipment.
IR4	I am conducting salvage operations.
JH1	I am attempting to retract a grounded vessel.
MH1	Request you not cross my course ahead of me.
NB1(...)	I have my unattached hydrographic survey equipment bearing in a direction from me as indicated ... (table III of ICS).
PJ1	I am unable to alter course to my starboard.
PJ2	I am unable to alter course to my port.
PJ3	Caution, I have a steering casualty.
PP8(...)	Dangerous operations in progress. Request you keep clear of the direction indicated from me ... (table III of ICS).
QF1	Caution, I have stopped the engines.

1/ Both Parties will issue mutually agreed instructions for the use of the signals in this table. The representatives of the Parties may by mutual agreement introduce into this table necessary alterations and additions.

Signals	Meaning of signals
QS6(...)	I am proceeding to anchorage on course ...
QV2	I am in a fixed multiple leg moor using two or more anchors or buoys fore and aft. Request you remain clear.
QV3	I am anchored in deep water with hydrographic survey equipment streamed.
RT2	I intend to pass you on your port side.
RT3	I intend to pass you on your starboard side.
RT4	I will overtake you on your port side.
RT5	I will overtake you on your starboard side.
RT6(...)	I am/formation is/manoeuvring. Request you keep clear of the direction indicated from me ... (table III of ICS).
RT7(...)	I shall approach your ship on starboard side to a distance of ... 100s of metres (yards).
RT8(...)	I shall approach your ship on port side to a distance of 100s ... of metres (yards).
RT9(...)	I shall cross astern at a distance of ... 100s of metres (yards).
RU2(...)	I am beginning a port turn in approximately ... minutes.
RU3(...)	I am beginning a starboard turn in approximately ... minutes.
RU4	The formation is preparing to alter course to port.

Signals	Meaning of signals
RU5	The formation is preparing to alter course to starboard.
RU6	I am engaged in manoeuvring exercises. It is dangerous to be inside the formation.
RU7	I am preparing to submerge.
RU8	A submarine will surface within two miles of me within 30 minutes. Request you remain clear.
SL2	Request your course, speed and passing intention.
TX1	I am engaged in fisheries patrol.
UY1(...)	I am preparing to launch/recover aircraft on course ...
UY2(...)	I am preparing to conduct missile exercises. Request you keep clear of the direction indicated from me ... (table 3 of ICS).
UY3(...)	I am preparing to conduct gunnery exercises. Request you keep clear of the direction indicated from me ... (table III of ICS).
UY4	I am preparing to conduct/am conducting operations employing explosive charges.
UY5(...)	I am manoeuvring in preparation for torpedo launching exercises in a direction from me as indicated ... (table III of ICS).
UY6(...)	I am preparing to conduct/am conducting underway replenishment on course ... Request you remain clear.
UY7	I am preparing to conduct extensive small-boat and ship-to-shore amphibious training operations. Request you keep clear of the direction indicated from me ... (table III of ICS).

Signals	Meaning of signals
UY8(...)	I am manoeuvring to launch/recover landing craft/boats. Request you keep clear of the direction indicated from me ... (table III of ICS).
UY9	I am preparing to conduct/am conducting helicopter operations over my stern.
UY10*	I am checking gunnery systems.
UY11*	I am checking rocket systems.
UY12(...)	I am preparing to conduct/I am conducting gunnery exercises/bombing/with aircraft using a towed target. Request you keep clear of the direction indicated from me ... (table III of ICS).
ZL1	I have received and understood your signal.
ZL2	Do you understand? Request acknowledgement.
ZL3	Your signal has been received, but not understood.

*/ These signals are transmitted by ships when they conduct routine or gun missile system checks.

b. Agreement on maritime delimitation between the Government of the French Republic and the Government of the Solomon Islands, 12 November 1990

[Original: English and French]

The Government of the French Republic and the Government of the Solomon Islands, desirous of strengthening the bonds of neighbourliness and friendship between the two States,

Recognizing the need to effect a precise and equitable delimitation of the respective maritime areas in which the two States exercise sovereign rights,

Basing themselves on the rules and principles of relevant international law, as they are expressed in the United Nations Convention on the Law of the Sea of 10 December 1982,

Have agreed as follows:

Article 1

1. The line of delimitation of maritime areas between the French Republic and the Solomon Islands is the line which lies along the loxodromes connecting the points defined by their coordinates as follows:

	LATITUDE SOUTH	LONGITUDE EAST
Point 23	15° 44' 07"	158° 45' 39"
Point 24	15° 44' 07"	158° 45' 39"
Point 25	15° 44' 07"	158° 45' 39"
Point 26 (a)	15° 44' 07"	158° 45' 39"

2. This line is approximately equidistant between the French Republic in the vicinity of New Calendonia and the Solomon Islands.

3. The geographic coordinates aforementioned are expressed in the WGS 84 (World Geodetic System 1984).

4. The line described above is shown on the chart annexed to this Agreement.

Article 2

The line described in article 1 of this Agreement shall be the maritime boundary between the areas referred to in this article in which the parties exercise, or will exercise, in accordance with international law, any sovereign rights or jurisdiction.

Article 3

Any dispute arising between the parties with respect to the interpretation or the application of this Agreement shall be resolved by peaceful means, in accordance with international law.

Article 4

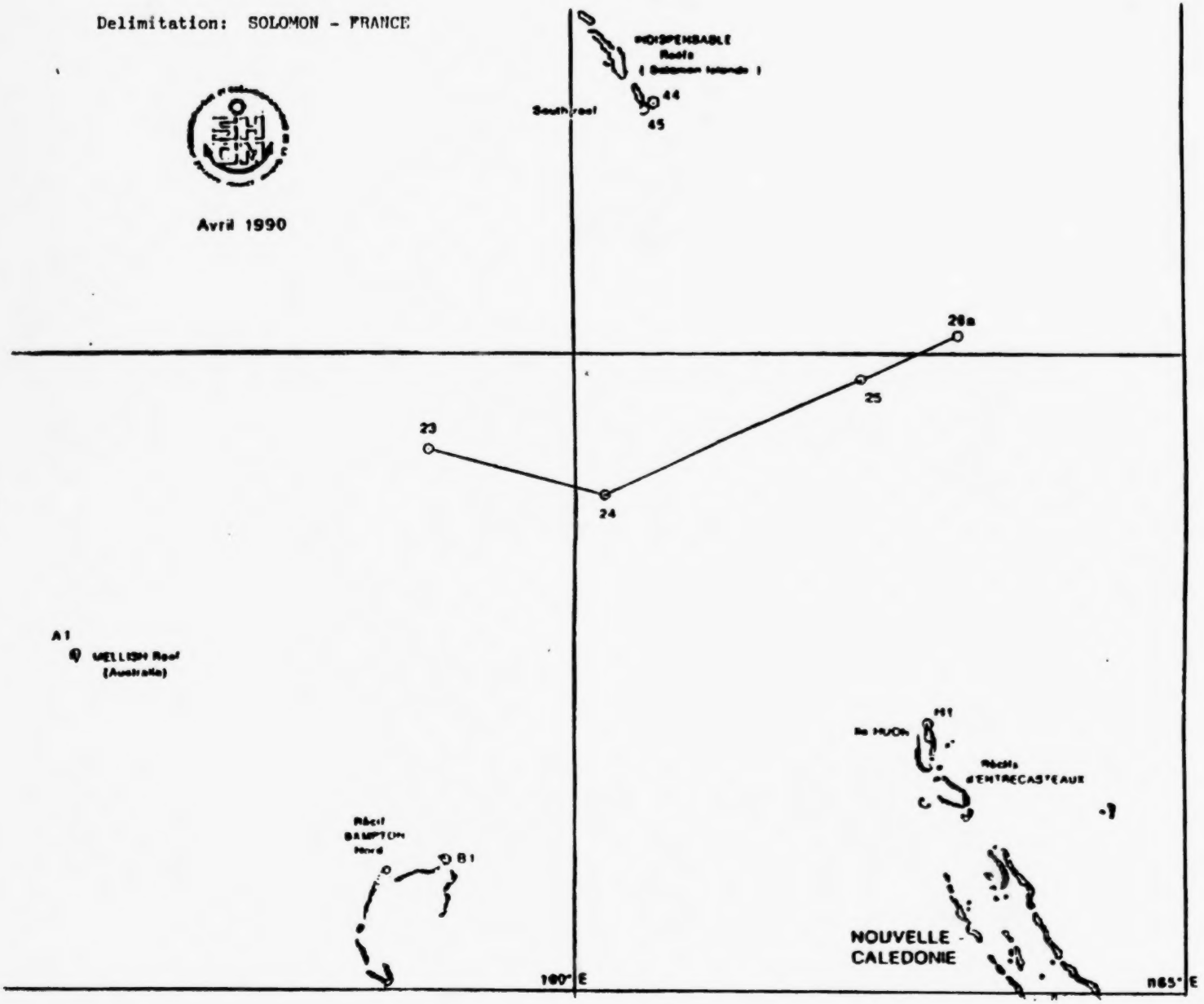
This Agreement shall enter into force on the date of its signature.

IN WITNESS THEREOF, the representatives of the two Governments, being duly authorized for this purpose, have signed this Agreement and have affixed thereto their seals.

DONE at Honiara on 12 November 1990 in two originals, each in the English and French languages, the two texts being equally authoritative.

Delimitation: SOLOMON - FRANCE

Avril 1990



c. Codicil modifying the Agreement of 19 January 1983* between the Government of the French Republic and the Government of Fiji relating to the delimitation of their economic zone, 8 November 1990

[Original: English and French]

The Government of the French Republic and the Government of the Republic of Fiji,

Desirous of concluding a Codicil modifying the Agreement between the Government of the French Republic and the Government of Fiji relating to the delimitation of their economic zone signed in Suva on 19 January 1983,

Have agreed to modify Annex 1.B to the said Agreement as follows:

Annex 1

B - Between France (Wallis and Futuna) and Fiji

1.	15° 53' 56" S	177° 25' 04" W
2.	15° 17' 44" S	178° 29' 42" W
3.	14° 47' 33" S	179° 14' 44" W
4.	13° 19' 04" S	179° 30' 18" W
5.	13° 14' 25" S	179° 32' 05" W

The positions of the points in this Annex are defined by latitude and longitude on World Geodetic System 1972 (WGS 72).

The present Codicil enters into force on the date of signature.

IN WITNESS WHEREOF the undersigned, duly authorized to that end by their respective Governments, have signed this Codicil.

DONE at Suva the eighth day of November in the year one thousand nine hundred and ninety in two originals, each in the French and English languages, the two texts being equally authoritative.

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*/ The Agreement of 19 January 1983 in force since 21 August 1984 was published in The Law of the Sea: Maritime Boundary Agreements (1970-1984) (United Nations publication, Sales No. E.87.V.12), pp. 276-279.

2. Multilateral treaties

International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990 1/

[Original: English, French and Spanish]

The Parties to the present Convention,

Conscious of the need to preserve the human environment in general and the marine environment in particular,

Recognizing the serious threat posed to the marine environment by oil pollution incidents involving ships, offshore units, sea ports and oil handling facilities,

Mindful of the importance of precautionary measures and prevention in avoiding oil pollution in the first instance, and the need for strict application of existing international instruments dealing with maritime safety and marine pollution prevention, particularly the International Convention for the Safety of Life at Sea, 1974, as amended, and the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, as amended, and also the speedy development of enhanced standards for the design, operation and maintenance of ships carrying oil, and of offshore units,

Mindful also that, in the event of an oil pollution incident, prompt and effective action is essential in order to minimize the damage which may result from such an incident,

Emphasizing the importance of effective preparation for combating oil pollution incidents and the important role which the oil and shipping industries have in this regard,

Recognizing further the importance of mutual assistance and international cooperation relating to matters including the exchange of information respecting the capabilities of States to respond to oil pollution incidents, the preparation of oil pollution contingency plans, the exchange of reports of incidents of significance which may affect the marine environment or the coastline and related interests of States, and research and development respecting means of combating oil pollution in the marine environment,

Taking account of the "polluter pays" principle as a general principle of international environmental law,

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1/ See International Maritime Organization (IMO) document OPPR/CONF/25 of 28 November 1990.

Taking account also of the importance of international instruments on liability and compensation for oil pollution damage, including the 1969 International Convention on Civil Liability for Oil Pollution Damage (CLC); and the 1971 International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (FUND); and the compelling need for early entry into force of the 1984 Protocols to the CLC and FUND Conventions,

Taking account further of the importance of bilateral and multilateral agreements and arrangements including regional conventions and agreements,

Bearing in mind the relevant provisions of the United Nations Convention on the Law of the Sea, in particular of its part XII,

Being aware of the need to promote international cooperation and to enhance existing national, regional and global capabilities concerning oil pollution preparedness and response, taking into account the special needs of the developing countries and particularly small island States,

Considering that these objectives may best be achieved by the conclusion of an International Convention on Oil Pollution Preparedness, Response and Cooperation,

Have agreed as follows:

Article 1
General provisions

(1) The Parties undertake, individually or jointly, to take all appropriate measures in accordance with the provisions of this Convention and the Annex thereto to prepare for and respond to an oil pollution incident.

(2) The Annex to this Convention shall constitute an integral part of the Convention and a reference to this Convention constitutes at the same time a reference to the Annex.

(3) This Convention shall not apply to any warship, naval auxiliary or other ship owned or operated by a State and used, for the time being, only on government non-commercial service. However, each Party shall ensure by the adoption of appropriate measures not impairing the operations or operational capabilities of such ships owned or operated by it, that such ships act in a manner consistent, so far as is reasonable and practicable, with this Convention.

Article 2
Definitions

For the purposes of this Convention:

(1) "Oil" means petroleum in any form including crude oil, fuel oil, sludge, oil refuse and refined products.

(2) "Oil pollution incident" means an occurrence or series of occurrences having the same origin, which results or may result in a discharge of oil and which poses or may pose a threat to the marine environment, or to the coastline or related interests of one or more States, and which requires emergency action or other immediate response.

(3) "Ship" means a vessel of any type whatsoever operating in the marine environment and includes hydrofoil boats, air-cushion vehicles, submersibles, and floating craft of any type.

(4) "Offshore unit" means any fixed or floating offshore installation or structure engaged in gas or oil exploration, exploitation or production activities, or loading or unloading of oil.

(5) "Sea ports and oil handling facilities" means those facilities which present a risk of an oil pollution incident and includes, inter alia, sea ports, oil terminals, pipelines and other oil handling facilities.

(6) "Organization" means the International Maritime Organization.

(7) "Secretary-General" means the Secretary-General of the Organization.

Article 3
Oil pollution emergency plans

(1) (a) Each Party shall require that ships entitled to fly its flag have on board a shipboard oil pollution emergency plan as required by and in accordance with the provisions adopted by the Organization for this purpose.

(b) A ship required to have on board an oil pollution emergency plan in accordance with subparagraph (a) is subject, while in a port or at an offshore terminal under the jurisdiction of a Party, to inspection by officers duly authorized by that Party, in accordance with the practices provided for in existing international agreements or its national legislation.

(2) Each Party shall require that operators of offshore units under its jurisdiction have oil pollution emergency plans, which are coordinated with the national system established in accordance with article 6 and approved in accordance with procedures established by the competent national authority.

(3) Each Party shall require that authorities or operators in charge of such sea ports and oil handling facilities under its jurisdiction as it deems appropriate have oil pollution emergency plans or similar arrangements which are coordinated with the national system established in accordance with article 6 and approved in accordance with procedures established by the competent national authority.

Article 4
Oil pollution reporting procedures

(1) Each Party shall:

(a) require masters or other persons having charge of ships flying its flag and persons having charge of offshore units under its jurisdiction to report without delay any event on their ship or offshore unit involving a discharge or probable discharge of oil:

(i) in the case of a ship, to the nearest coastal State;

(ii) in the case of an offshore unit, to the coastal State to whose jurisdiction the unit is subject;

(b) require masters or other persons having charge of ships flying its flag and persons having charge of offshore units under its jurisdiction to report without delay any observed event at sea involving a discharge of oil or the presence of oil:

(i) in the case of a ship, to the nearest coastal State;

(ii) in the case of an offshore unit, to the coastal State to whose jurisdiction the unit is subject;

(c) require persons having charge of sea ports and oil handling facilities under its jurisdiction to report without delay any event involving a discharge or probable discharge of oil or the presence of oil to the competent national authority;

(d) instruct its maritime inspection vessels or aircraft and other appropriate services or officials to report without delay any observed event at sea or at a sea port or oil handling facility involving a discharge of oil or the presence of oil to the competent national authority or, as the case may be, to the nearest coastal State;

(e) request the pilots of civil aircraft to report without delay any observed event at sea involving a discharge of oil or the presence of oil to the nearest coastal State.

(2) Reports under paragraph (1)(a)(i) shall be made in accordance with the requirements developed by the Organization and based on the guidelines and general principles adopted by the Organization. Reports under paragraph (1)(a)(ii), (b), (c) and (d) shall be made in accordance with the guidelines and general principles adopted by the Organization to the extent applicable.

Article 5
Action on receiving an oil pollution report

(1) Whenever a Party receives a report referred to in article 4 or pollution information provided by other sources, it shall:

(a) assess the event to determine whether it is an oil pollution incident;

(b) assess the nature, extent and possible consequences of the oil pollution incident; and

(c) then, without delay, inform all States whose interests are affected or likely to be affected by such oil pollution incident, together with

(i) details of its assessments and any action it has taken, or intends to take, to deal with the incident, and

(ii) further information as appropriate,

until the action taken to respond to the incident has been concluded or until joint action has been decided by such States.

(2) When the severity of such oil pollution incident so justifies, the Party should provide the Organization directly or, as appropriate, through the relevant regional organization or arrangements with the information referred to in paragraph (1)(b) and (c).

(3) When the severity of such oil pollution incident so justifies, other States affected by it are urged to inform the Organization directly or, as appropriate, through the relevant regional organizations or arrangements of their assessment of the extent of the threat to their interests and any action taken or intended.

(4) Parties should use, in so far as practicable, the oil pollution reporting system developed by the Organization when exchanging information and communicating with other States and with the Organization.

Article 6
National and regional systems for preparedness and response

(1) Each Party shall establish a national system for responding promptly and effectively to oil pollution incidents. This system shall include as a minimum:

(a) the designation of:

(i) the competent national authority or authorities with responsibility for oil pollution preparedness and response;

(ii) the national operational contact point or points, which shall be responsible for the receipt and transmission of oil pollution reports as referred to in article 4; and

(iii) an authority which is entitled to act on behalf of the State to request assistance or to decide tc render the assistance requested;

(b) a national contingency plan for preparedness and response which includes the organizational relationship of the various bodies involved, whether public or private, taking into account guidelines developed by the Organization.

(2) In addition, each Party, within its capabilities either individually or through bilateral or multilateral cooperation and, as appropriate, in cooperation with the oil and shipping industries, port authorities and other relevant entities, shall establish:

(a) a minimum level of pre-positioned oil spill combating equipment, commensurate with the risk involved, and programmes for its use;

(b) a programme of exercises for oil pollution response organizations and training of relevant personnel;

(c) detailed plans and communication capabilities for responding to an oil pollution incident. Such capabilities should be continuously available; and

(d) a mechanism or arrangement to coordinate the response to an oil pollution incident with, if appropriate, the capabilities to mobilize the necessary resources.

(3) Each Party shall ensure that current information is provided to the Organization, directly or through the relevant regional organization or arrangements, concerning:

(a) the location, telecommunication data and, if applicable, areas of responsibility of authorities and entities referred to in paragraph (1)(a);

(b) information concerning pollution response equipment and expertise in disciplines related to oil pollution response and marine salvage which may be made available to other States, upon request; and

(c) its national contingency plan.

Article 7
International cooperation in pollution response

(1) Parties agree that, subject to their capabilities and the availability of relevant resources, they will cooperate and provide advisory services, technical support and equipment for the purpose of responding to an oil pollution incident, when the severity of such incident so justifies, upon the request of any Party affected or likely to be affected. The financing of the costs for such assistance shall be based on the provisions set out in the Annex to this Convention.

(2) A Party which has requested assistance may ask the Organization to assist in identifying sources of provisional financing of the costs referred to in paragraph (1).

(3) In accordance with applicable international agreements, each Party shall take necessary legal or administrative measures to facilitate:

(a) the arrival and utilization in and departure from its territory of ships, aircraft and other modes of transport engaged in responding to an oil pollution incident or transporting personnel, cargoes, materials and equipment required to deal with such an incident; and

(b) the expeditious movement into, through, and out of its territory of personnel, cargoes, materials and equipment referred to in subparagraph (a).

Article 8
Research and development

(1) Parties agree to cooperate directly or, as appropriate, through the Organization or relevant regional organizations or arrangements in the promotion and exchange of results of research and development programmes relating to the enhancement of the state-of-the-art of oil pollution preparedness and response, including technologies and techniques for surveillance, containment, recovery, dispersion, clean-up and otherwise minimizing or mitigating the effects of oil pollution, and for restoration.

(2) To this end, Parties undertake to establish directly or, as appropriate, through the Organization or relevant regional organizations or arrangements, the necessary links between Parties' research institutions.

(3) Parties agree to cooperate directly or through the Organization or relevant regional organizations or arrangements to promote, as appropriate, the holding on a regular basis of international symposia on relevant subjects, including technological advances in oil pollution combating techniques and equipment.

(4) Parties agree to encourage, through the Organization or other competent international organizations, the development of standards for compatible oil pollution combating techniques and equipment.

Article 9
Technical cooperation

(1) Parties undertake directly or through the Organization and other international bodies, as appropriate, in respect of oil pollution preparedness and response, to provide support for those Parties which request technical assistance:

(a) to train personnel;

(b) to ensure the availability of relevant technology, equipment and facilities;

(c) to facilitate other measures and arrangements to prepare for and respond to oil pollution incidents; and

(d) to initiate joint research and development programmes.

(2) Parties undertake to cooperate actively, subject to their national laws, regulations and policies, in the transfer of technology in respect of oil pollution preparedness and response.

Article 10
Promotion of bilateral and multilateral cooperation in preparedness and response

Parties shall endeavour to conclude bilateral or multilateral agreements for oil pollution preparedness and response. Copies of such agreements shall be communicated to the Organization which should make them available on request to Parties.

Article 11
Relation to other conventions and international agreements

Nothing in this Convention shall be construed as altering the rights or obligations of any Party under any other convention or international agreement.

Article 12
Institutional arrangements

(1) Parties designate the Organization, subject to its agreement and the availability of adequate resources to sustain the activity, to perform the following functions and activities:

(a) information services:

(i) to receive, collate and disseminate on request the information provided by Parties (see, for example, articles 5(2) and (3), 6(3) and (10) and relevant information provided by other sources); and

(ii) to provide assistance in identifying sources of provisional financing of costs (see, for example, article 7(2));

(b) education and training:

(i) to promote training in the field of oil pollution preparedness and response (see, for example, article 9); and

(ii) to promote the holding of international symposia (see, for example, article 8(3));

(c) technical services:

(i) to facilitate cooperation in research and development (see, for example, articles 8(1), (2) and (4) and 9(1)(d));

(ii) to provide advice to States establishing national or regional response capabilities; and

(iii) to analyse the information provided by Parties (see, for example, articles 5(2) and (3), 6(3) and 8(1)) and relevant information provided by other sources and provide advice or information to States;

(d) technical assistance:

(i) to facilitate the provision of technical assistance to States establishing national or regional response capabilities; and

(ii) to facilitate the provision of technical assistance and advice, upon the request of States faced with major oil pollution incidents.

(2) In carrying out the activities specified in this article, the Organization shall endeavour to strengthen the ability of States individually or through regional arrangements to prepare for and combat oil pollution incidents, drawing upon the experience of States, regional agreements and industry arrangements and paying particular attention to the needs of developing countries.

(3) The provisions of this article shall be implemented in accordance with a programme developed and kept under review by the Organization.

Article 13
Evaluation of the Convention

Parties shall evaluate within the Organization the effectiveness of the Convention in the light of its objectives, particularly with respect to the principles underlying cooperation and assistance.

Article 14
Amendments

(1) This Convention may be amended by one of the procedures specified in the following paragraphs.

(2) Amendment after consideration by the Organization:

(a) Any amendment proposed by a Party to the Convention shall be submitted to the Organization and circulated by the Secretary-General to all Members of the Organization and all Parties at least six months prior to its consideration.

(b) Any amendment proposed and circulated as above shall be submitted to the Marine Environment Protection Committee of the Organization for consideration.

(c) Parties to the Convention, whether or not Members of the Organization, shall be entitled to participate in the proceedings of the Marine Environment Protection Committee.

(d) Amendments shall be adopted by a two-thirds majority of only the Parties to the Convention present and voting.

(e) If adopted in accordance with subparagraph (d), amendments shall be communicated by the Secretary-General to all Parties to the Convention for acceptance.

(f) (i) An amendment to an article or the Annex of the Convention shall be deemed to have been accepted on the date on which it is accepted by two thirds of the Parties.

(ii) An amendment to an appendix shall be deemed to have been accepted at the end of a period to be determined by the Marine Environment Protection Committee at the time of its adoption, which period shall not be less than ten months, unless within that period an objection is communicated to the Secretary-General by not less than one third of the Parties.

(g) (i) An amendment to an article or the Annex of the Convention accepted in conformity with subparagraph (f)(i) shall enter into force six months after the date on which it is deemed to have been accepted with respect to the Parties which have notified the Secretary-General that they have accepted it.

(ii) An amendment to an appendix accepted in conformity with subparagraph (f)(ii) shall enter into force six months after the date on which it is deemed to have been accepted with respect to all Parties with the exception of those which, before that date, have objected to it. A Party may at any time withdraw a previously communicated objection by submitting a notification to that effect to the Secretary-General.

(3) Amendment by a Conference:

(a) Upon the request of a Party, concurred with by at least one third of the Parties, the Secretary-General shall convene a Conference of Parties to the Convention to consider amendments to the Convention.

(b) An amendment adopted by such a Conference by a two-thirds majority of those Parties present and voting shall be communicated by the Secretary-General to all Parties for their acceptance.

(c) Unless the Conference decides otherwise, the amendment shall be deemed to have been accepted and shall enter into force in accordance with the procedures specified in paragraph (2)(f) and (g).

(4) The adoption and entry into force of an amendment constituting an addition of an Annex or an appendix shall be subject to the procedure applicable to an amendment to the Annex.

(5) Any Party which has not accepted an amendment to an article or the Annex under paragraph (2)(f)(i) or an amendment constituting an addition of an Annex or an appendix under paragraph (4) or has communicated an objection to an amendment to an appendix under paragraph (2)(f)(ii) shall be treated as a non-Party only for the purpose of the application of such amendment. Such treatment shall terminate upon the submission of a notification of acceptance under paragraph (2)(f)(i) or withdrawal of the objection under paragraph (2)(g)(ii).

(6) The Secretary-General shall inform all Parties of any amendment which enters into force under this article, together with the date on which the amendment enters into force.

(7) Any notification of acceptance of, objection to, or withdrawal of objection to, an amendment under this article shall be communicated in writing to the Secretary-General who shall inform Parties of such notification and the date of its receipt.

(8) An appendix to the Convention shall contain only provisions of a technical nature.

Article 15
Signature, ratification, acceptance, approval and accession

(1) This Convention shall remain open for signature at the Headquarters of the Organization from 30 November 1990 until 29 November 1991 and shall thereafter remain open for accession. Any State may become Party to this Convention by:

(a) signature without reservation as to ratification, acceptance or approval; or

(b) signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or

(c) accession.

(2) Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General.

Article 16
Entry into force

(1) This Convention shall enter into force twelve months after the date on which not less than fifteen States have either signed it without reservation as to ratification, acceptance or approval or have deposited the requisite instruments of ratification, acceptance, approval or accession in accordance with article 15.

(2) For States which have deposited an instrument of ratification, acceptance, approval or accession in respect of this Convention after the requirements for entry into force thereof have been met but prior to the date of entry into force, the ratification, acceptance, approval or accession shall take effect on the date of entry into force of this Convention or three months after the date of deposit of the instrument, whichever is the later date.

(3) For States which have deposited an instrument of ratification, acceptance, approval or accession after the date on which this Convention entered into force, this Convention shall become effective three months after the date of deposit of the instrument.

(4) After the date on which an amendment to this Convention is deemed to have been accepted under article 14, any instrument of ratification, acceptance, approval or accession deposited shall apply to this Convention as amended.

Article 17
Denunciation

(1) This Convention may be denounced by any Party at any time after the expiry of five years from the date on which this Convention enters into force for that Party.

(2) Denunciation shall be effected by notification in writing to the Secretary-General.

(3) A denunciation shall take effect twelve months after receipt of the notification of denunciation by the Secretary-General or after the expiry of any longer period which may be indicated in the notification.

Article 18
Depositary

(1) This Convention shall be deposited with the Secretary-General.

(2) The Secretary-General shall:

(a) inform all States which have signed this Convention or acceded thereto of:

(i) each new signature or deposit of an instrument of ratification, acceptance, approval or accession, together with the date thereof;

(ii) the date of entry into force of this Convention; and

(iii) the deposit of any instrument of denunciation of this Convention together with the date on which it was received and the date on which the denunciation takes effect;

(b) transmit certified true copies of this Convention to the Governments of all States which have signed this Convention or acceded thereto.

(3) As soon as this Convention enters into force, a certified true copy thereof shall be transmitted by the depositary to the Secretary-General of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

Article 19
Languages

This Convention is established in a single original in the Arabic, Chinese, English, French, Russian and Spanish languages, each text being equally authentic.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments for that purpose, have signed this Convention.

DONE at London this thirtieth day of November, one thousand nine hundred and ninety.

ANNEX

Reimbursement of costs of assistance

(1) (a) Unless an agreement concerning the financial arrangements governing actions of Parties to deal with oil pollution incidents has been concluded on a bilateral or multilateral basis prior to the oil pollution incident, Parties shall bear the costs of their respective actions in dealing with pollution in accordance with subparagraph (i) or subparagraph (ii).

(i) If the action was taken by one Party at the express request of another Party, the requesting Party shall reimburse to the assisting Party the cost of its action. The requesting Party may cancel its request at any time, but in that case it shall bear the costs already incurred or committed by the assisting Party.

(ii) If the action was taken by a Party on its own initiative, this Party shall bear the costs of its action.

(b) The principles laid down in subparagraph (a) shall apply unless the Parties concerned otherwise agree in any individual case.

(2) Unless otherwise agreed, the costs of action taken by a Party at the request of another Party shall be fairly calculated according to the law and current practice of the assisting Party concerning the reimbursement of such costs.

(3) The Party requesting assistance and the assisting Party shall, where appropriate, cooperate in concluding any action in response to a compensation claim. To that end, they shall give due consideration to existing legal regimes. Where the action thus concluded does not permit full compensation for expenses incurred in the assistance operation, the Party requesting assistance may ask the assisting Party to waive reimbursement of the expenses exceeding the sums compensated or to reduce the costs which have been calculated in accordance with paragraph (2). It may also request a postponement of the reimbursement of such costs. In considering such a request, assisting Parties shall give due consideration to the needs of the developing countries.

(4) The provisions of this Convention shall not be interpreted as in any way prejudicing the rights of Parties to recover from third parties the costs of actions to deal with pollution or the threat of pollution under other applicable provisions and rules of national and international law. Special attention shall be paid to the 1969 International Convention on Civil Liability for Oil Pollution Damage and the 1971 International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage or any subsequent amendment to those Conventions.

Final Act of the Conference on International Cooperation on Oil Pollution Preparedness and Response 1/

1. In accordance with article 2 (b) of the Convention on the International Maritime Organization, at its sixteenth regular session the Assembly of the Organization decided, by adoption of resolution A.674(16) of 19 October 1989, to convene an international conference to consider the adoption of an international convention on oil pollution preparedness and response.

2. In this connection, by adoption of resolution A.644(16) of 19 October 1989 on the work programme and budget for the sixteenth financial period 1990-1991, the Assembly at the above-mentioned session noted that the Government of the United States had kindly agreed to provide the necessary funds for one preparatory meeting and for a one-week diplomatic conference.

3. Subsequently, the Organization was informed that the Government of Japan and the Japan Shipbuilding Industry Foundation had kindly agreed to provide additional funding in order that the duration of the diplomatic conference could be extended to two weeks.

4. The Conference was held in London, at the Headquarters of the International Maritime Organization, from 19 to 30 November 1990.

5. Representatives of 90 States participated in the Conference, namely the representatives of:

Algeria, Antigua and Barbuda, Argentina, Australia, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Brazil, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Costa Rica, Côte d'Ivoire, Cyprus, Democratic People's Republic of Korea, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Guinea, Iceland, India, Indonesia, Iran (Islamic Republic of), Italy, Japan, Jordan, Kenya, Kuwait, Lebanon, Liberia, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Monaco, Morocco, Myanmar, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Seychelles, Singapore, Spain, Sudan, Sweden, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu, Venezuela, Viet Nam and Zaire.

6. The following States sent observers to the Conference:

Cuba, Guatemala and Yugoslavia

7. Hong Kong, an Associate Member of the International Maritime Organization, sent an observer to the Conference.

1/ See International Maritime Organization (IMO) document OPPR/CONF/24 of 29 November 1990.

8. Representatives of the following bodies of the United Nations attended the Conference:

United Nations Environment Programme (UNEP)
United Nations Industrial Development Organization (UNIDO)
United Nations Educational, Scientific and Cultural Organization (UNESCO)
Intergovernmental Oceanographic Commission (IOC)

9. The following four intergovernmental organizations sent observers to the Conference:

Organization for Economic Cooperation and Development (OECD)
Commission of the European Communities (CEC)
International Oil Pollution Compensation Fund (IOPC FUND)
Helsinki Commission (HELCOM)

10. The following nine non-governmental international organizations sent observers to the Conference:

International Chamber of Shipping (ICS)
International Maritime Committee (CMI)
International Association of Ports and Harbors (IAPH)
International Association of Classification Societies (IACS)
Oil Companies International Marine Forum (OCIMF)
Oil Industry International Exploration and Production Forum (E & P FORUM)
International Association of Independent Tanker Owners (INTERTANKO)
International Tanker Owners Pollution Federation Limited (ITOPF)
Advisory Committee on Pollution of the Sea (ACOPS)

11. His Excellency Mr. Abdeslam Zenined, Ambassador Extraordinary and Plenipotentiary of the Kingdom of Morocco to the United Kingdom, head of the delegation of Morocco, was elected President of the Conference.

12. The Vice-Presidents elected by the Conference were:

Vice-Admiral C. Toledo de la Maza	(Chile)
Mr. Yu Zhizhong	(China)
Mr. J. Ostergaard	(Denmark)
Mr. O.O. George	(Nigeria)
H.E. The Honourable T.T. Syquia	(Philippines)
Mr. O.A. Savin	(USSR)

13. The Secretariat of the Conference consisted of the following officers:

Secretary-General	Mr. W.A. O'Neil
Executive Secretary	Mr. K. Voskresensky, Director, Marine Environment Division
Deputy Executive Secretaries:	Mr. J. Wonham, Senior Deputy Director, Marine Environment Division
	Mr. D.T. Edwards, Deputy Director, Marine Environment Division

14. The Conference established a Committee of the Whole with the mandate to consider the draft text of an international convention on oil pollution preparedness and response and related recommendations and resolutions.

15. The Drafting Committee established by the Conference was composed of representatives of the following nine States:

Argentina, China, Egypt, France, Japan, Spain, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America.

16. The Credentials Committee was appointed to examine the credentials of representatives attending the Conference. The Committee was composed of representatives of the following States:

Cameroon, Iran (Islamic Republic of), Italy, Poland and Venezuela.

17. The officers elected for the Committees were as follows:

Committee of the Whole:

Chairman:	Mr. E. Jansen (Norway)
Vice-Chairmen:	H.E. Mr. G.B. Cooper (Liberia)
	H.E. Dr. P.E.J. Rodgers (Bahamas)

Drafting Committee:

Chairman:	Mr. Y. Sasamura (Japan)
Vice-Chairman:	Mr. J.F. Levy (France)

Credentials Committee:

Chairman:	Mr. J. Vonau (Poland)

18. The Conference used as the basis of its work:

- draft text of an international convention on oil pollution preparedness and response prepared by a preparatory meeting; and

- draft Conference resolutions prepared by the preparatory meeting.

19. The Conference also considered proposals and comments on the above-mentioned documents submitted to the Conference by Governments and interested organizations.

20. As a result of its deliberations, the Conference adopted the:

International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990

21. The Conference further adopted the following resolutions:

1. References to instruments and other documents developed by the International Maritime Organization under articles of the International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990

2. Implementation of the International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990 pending its entry into force

3. Early implementation of the provisions of article 12 of the International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990

4. Implementation of the provisions of article 6 of the International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990

5. Establishment of oil pollution combating equipment stockpiles

6. Promotion of technical assistance

7. Development and implementation of a training programme for oil pollution preparedness and response

8. Improving salvage services

9. Cooperation between States and insurers

10 Expansion of the scope of the International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990 to include hazardous and noxious substances

These resolutions are contained in the Attachment to this Final Act.

22. This Final Act is established in a single original text in the Arabic, Chinese, English, French, Russian and Spanish languages which is to be deposited with the Secretary-General of the International Maritime Organization.

23. The Secretary-General shall send certified copies of this Final Act with its Attachment and certified copies of the authentic text of the Convention to the Governments of the States invited to be represented at the Conference, in accordance with the wishes of those Governments.

IN WITNESS WHEREOF the undersigned have affixed their signature to this Final Act.

DONE at London this thirtieth day of November, one thousand nine hundred and ninety.

Attachment

Conference resolution 1

REFERENCES TO INSTRUMENTS AND OTHER DOCUMENTS DEVELOPED BY THE INTERNATIONAL MARITIME ORGANIZATION UNDER ARTICLES OF THE INTERNATIONAL CONVENTION ON OIL POLLUTION PREPAREDNESS, RESPONSE AND COOPERATION, 1990

The Conference,

Having adopted the International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990 (the OPRC Convention),

Recognizing that the measures introduced by the OPRC Convention take into account the provisions of other important conventions developed by the International Maritime Organization, in particular the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, as amended (MARPOL 73/78),

Recognizing also the need for the OPRC Convention to supplement and not to duplicate the important provisions adopted by, or under the auspices of, the Organization, such as those contained in MARPOL 73/78, guidelines and manuals,

Noting that articles 3, 4, 5 and 6 of the OPRC Convention in particular refer to certain provisions of MARPOL 73/78 and other documents develcped by the Organization,

1. Adopts the list containing references to the instruments and other documents developed by the Organization under the relevant articles of the OPRC Convention, as set out in the annex to this resolution;

2. Invites the Marine Environment Protection Committee of the Organization to keep the list up to date;

3. Requests the Secretary-General of the Organization to include these references, updated as necessary, in future editions of the publications of the OPRC Convention in the form of footnotes to the relevant articles.

Annex

References in the OPRC Convention

Article 3(1)(a)

"The provisions adopted by the Organization" refers to regulation 26 of Annex I of MARPOL 73/78.

Article 3(1)(b)

"Existing international agreements" refers to articles 5 and 7 of MARPOL 73/78.

Article 4(2)

"The requirements developed by the Organization" refers to article 8 and Protocol I of MARPOL 73/78.

"Guidelines and general principles adopted by the organization" refers to "General principles for ship reporting system and ship reporting requirements, including guidelines for reporting incidents involving dangerous goods, harmful substances and/or marine pollutants" adopted by the Organization by resolution A.648(16).

Article 5(4)

"The oil pollution reporting system developed by the Organization" is contained in the Manual on Oil Pollution, section II - Contingency Planning, appendix 2, developed by the Marine Environment Protection Committee of the Organization.

Article 6(1)(b)

"Guidelines developed by the Organization" are contained in the Manual on Oil Pollution, section II - Contingency Planning, developed by the Marine Environment Protection Committee of the Organization.

Conference resolution 2

IMPLEMENTATION OF THE INTERNATIONAL CONVENTION ON OIL POLLUTION PREPAREDNESS, RESPONSE AND COOPERATION, 1990, PENDING ITS ENTRY INTO FORCE

The Conference,

Having adopted the International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990 (the OPRC Convention),

Recognizing the continuing risk of a major oil pollution incident and the serious environmental consequences which may arise therefrom,

Convinced of the importance of cooperation among States in the exchange of information and assistance respecting oil pollution preparedness and response,

Mindful of the particular vulnerability of those countries which do not have ready access to information and advice on oil pollution preparedness and response,

Recognizing further that it is desirable for each country at risk from oil pollution incidents to establish a national system for combating oil pollution,

Desiring that the provisions of the OPRC Convention should become effective as soon as possible so as to facilitate international cooperation in oil pollution preparedness and response,

1. Calls upon all States, including those that have not participated in this Conference, to sign and to become Parties to the OPRC Convention and to implement its provisions as soon as possible;

2. Urges all States to establish, as soon as and to the extent possible, national systems for combating oil pollution;

3. Urges further all States, pending the entry into force of the OPRC Convention for them, to cooperate among themselves and with the International Maritime Organization, as appropriate, in exchanging oil pollution combating information and in facilitating prompt assistance in the event of a major oil pollution incident.

Conference resolution 3

EARLY IMPLEMENTATION OF THE PROVISIONS OF ARTICLE 12 OF THE INTERNATIONAL CONVENTION ON OIL POLLUTION PREPAREDNESS, RESPONSE AND COOPERATION, 1990

The Conference,

Having adopted the International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990 (the OPRC Convention),

Noting the provisions of resolution A.448(XI) of the Assembly of the International Maritime Organization on regional arrangements for combating major incidents or threats of marine pollution, and further Assemoly resolutions on technical assistance in the field of protection of the marine environment (A.349(IX), A677(16)),

Noting also, in particular, that article 12 of the OPRC Convention by which the Parties designated IMO, subject to its agreement and the availability of adequate resources to sustain the activity, to carry out certain functions and activities and to meet certain objectives of the OPRC Convention,

Noting further the importance of taking account of the experience gained within regional agreements on combating marine pollution as referred to in Assembly resolution A.674(16),

Recognizing the importance of early implementation of the objectives of article 12 of the OPRC Convention,

1. Invites the Secretary-General of the Organization, pending the entry into force of the OPRC Convention, to initiate the early implementation of functions and activities in order to meet the objectives in article 1,(1)(a) and (b) of the OPRC Convention within available resources;

2. Invites the Organization to provide a forum for discussion of experiences gained within regional conventions and agreements concerning combating oil pollution incidents;

3. Requests the Secretary-General to present to the Organization, within one year of this Conference, a programme which indicates the way in which the Organization contemplates carrying out the duties mentioned in this Convention, and which would include such elements as reallocating available resources, examining and developing alternative organizational arrangements, and determining financial implications and possible sources of support;

4. Invites further the Organization to review periodically progress made in implementing article 12 of the OPRC Convention.

Conference resolution 4

IMPLEMENTATION OF THE PROVISIONS OF ARTICLE 6 OF THE INTERNATIONAL CONVENTION ON OIL POLLUTION PREPAREDNESS, RESPONSE AND COOPERATION, 1990

The Conference,

Having adopted the International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990 (the OPRC Convention),

Recognizing the importance of the "polluter pays" principle,

Noting that article 6 of the OPRC Convention provides that the Parties shall establish a national system comprising a contingency plan and shall set up, either individually or in cooperation with other Parties, arrangements comprising, in particular, response equipment and a training programme,

Being aware that, in the event of an oil pollution incident, measures taken immediately by the State under threat are essential and are likely, in the initial phase, to be the most effective in protecting its coasts and minimizing the potential damage caused by such an incident,

Emphasizing that when international assistance is requested by the State under threat, the dispatch of personnel and equipment may require some time as a result of distance,

Emphasizing further that the effectiveness of assistance depends on measures taken to prepare for response and to train personnel to put into effect the national contingency plan of the State under threat,

Bearing in mind that the financial resources available to some developing countries are limited,

Recognizing also that measures taken to prepare for response necessitate specific financial aid, made available for that purpose, for the benefit of the developing countries,

1. Invites Parties to give due consideration, in their bilateral and multilateral cooperation programmes, and on fair terms, to the needs of the developing countries arising from the implementation of the OPRC Convention;

2. Invites also the Secretary-General of the Organization to give his support in identifying international bodies that might provide specific sources of financing to assist the developing countries in carrying out the obligations arising from the OPRC Convention.

Conference resolution 5

ESTABLISHMENT OF OIL POLLUTION COMBATING EQUIPMENT STOCKPILES

The Conference,

Having adopted the International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990 (the OPRC Convention),

Noting article 6(2)(a) of the OPRC Convention which provides that each Party shall establish, within its capabilities, either individually or through bilateral or multilateral cooperation and, as appropriate, in cooperation with the oil and shipping industries and other entities, a system which includes a minimum level of pre-positioned oil spill combating equipment, and programmes for its use,

Noting also that one of the fundamental elements of the International Maritime Organization's strategy for the protection of the marine environment is to strengthen the capacity for national and regional action to combat marine pollution and to promote technical cooperation to this end,

Recognizing that in the event of an oil spill or threat thereof, prompt and effective action should be taken initially at the national level to organize and coordinate prevention, mitigation and clean-up activities,

Recognizing also that one of the basic principles used for providing funds following pollution damage is the "polluter pays" principle,

Recognizing further the importance of mutual cooperation and assistance in combating major oil pollution incidents which may be beyond the capability of individual countries and the need to enhance the oil spill combating equipment available in certain regions of the world particularly vulnerable to a major oil pollution incident either because of the high density of vessel traffic or particularly sensitive ecological conditions,

Acknowledging the activities of the Organization, in cooperation with donor countries and industry, in establishing oil spill combating equipment stockpiles or centres in areas where developing countries in particular are vulnerable to or at risk from a major oil pollution incident,

Invites the Secretary-General of the Organization, in consultation with the Executive Director of the United Nations Environment Programme, to approach the oil and shipping industries with a view to:

(a) encouraging further cooperation in order to assist developing countries to implement article 6 of the OPRC Convention, including an assessment of the need for oil spill combating equipment stockpiles on a regional or subregional basis in addition to those already established;

(b) developing a plan on the establishment of oil spill combating equipment stockpiles on a regional or subregional basis, in order to assist developing countries in implementing article 6(2)(a) of the OPRC Convention.

Conference resolution 6

PROMOTION OF TECHNICAL ASSISTANCE

The Conference,

Having adopted the International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990 (the OPRC Convention),

Noting that key elements in the success of any action to combat marine pollution are good administrative organization in the countries concerned in this field and at least a minimum of technical preparation,

Being aware of the difficulties that may be encountered by certain developing countries in establishing such organization and preparation through their own resources,

Recognizing the role played in this connection by the International Maritime Organization, by regional agreements, by bilateral cooperation and by industry programmes,

Recognizing also the contribution made by the Organization's technical cooperation programme, the United Nations Development Programme, the United Nations Environment Programme and national aid agencies in this regard,

Noting also resolution A.677(16) which invites the Secretary-General of the Organization to undertake on a priority basis an evaluation of problems faced by developing countries with a view to formulating the long-term objectives of the Organization's technical assistance programme in the environmental field, and to report the outcome to the seventeenth session of the Assembly of the Organization,

Noting further the convening of an advisory group by the Secretary-General for this purpose,

1. Requests Member States of the Organization, in cooperation with the Organization when appropriate, other interested States, competent international or regional organizations and industry programmes, to strengthen action to assist developing countries especially in:

(a) the training of personnel,

(b) ensuring the availability of relevant technologies, equipment and facilities,

necessary or oil pollution preparedness and response, so as to enable them to establish at least the minimum structures and resources for combating oil pollution incidents commensurate with the perceived risks of such incidents;

2. Requests also Member States, in cooperation with the Organization when appropriate, other interested States, competent international or regional organizations and industry programmes, to strengthen action to assist developing countries in the initiation of joint research and development programmes;

3. Urges Member States to contribute to such actions without delay, inter alia, through bilateral or multilateral cooperation;

4. Requests further the Organization to re-evaluate the principles underlying cooperation and assistance in articles 7, 8 and 9 of the OPRC Convention in the light of the 1992 United Nations Conference on Environment and Development.

Conference resolution 7

DEVELOPMENT AND IMPLEMENTATION OF A TRAINING PROGRAMME FOR OIL POLLUTION PREPAREDNESS AND RESPONSE

The Conference,

Having adopted the International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990,

Noting that a key element in the International Maritime Organization's strategy for protection of the marine environment is the enhancement of the capacity for national and regional action to prevent, control, combat and mitigate marine pollution and to promote technical cooperation to this end,

Being aware that the capability of a State to respond to an oil pollution incident depends on the availability of oil spill combating equipment as well as of trained oil spill response personnel,

Recognizing the role of the Organization in organizing national, regional and global training courses and in developing training aids aimed at providing the necessary technical expertise, in particular for developing countries, in the field of combating incidents of marine pollution,

Recognizing also the role of the World Maritime University and its branches in providing high-level training facilities for personnel, in particular from developing countries,

Recognizing further the support of the United Nations Development Programme, the United Nations Environment Programme and several Member States of the Organization for the training component of the Organization's technical cooperation programme,

Considering the need for an increased global effort by all those concerned with the maritime transport of oil and its environmental impact towards the development of a global training programme in oil pollution preparedness and response,

1. Invites the Secretary-General of the Organization, in cooperation with interested Governments, relevant international and regional organizations and oil and shipping industries, to endeavour to develop a comprehensive training programme in the field of oil pollution preparedness and response;

2. Invites also the Marine Environment Protection Committee of the Organization, on the basis of proposals made by the Secretary-General, to consider and endorse, as appropriate, such training programme on oil pollution preparedness and response;

3. Invites further Member States of the Organization to endeavour to make available the expertise necessary for the development and implementation of the training programme.

Conference resolution 8

IMPROVING SALVAGE SERVICES

The Conference,

Having adopted the International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990,

Considering the need to ensure that sufficient salvage capacity is available on a worldwide basis and to appreciate and reward the salvor's preventive function as to marine pollution,

Recalling that tne 1989 International Convention on Salvage, by which incentives for salvors to prevent marine pollution by their salvage operations have been introduced, has not yet entered into force,

Noting with interest that the Third International Conference on the Protection of the North Sea decided on 8 March 1990 to take concerted action within the International Maritime Organization with the aim of ensuring sufficient salvage capacity on a worldwide basis,

Recognizing the expertise and experience of salvors in operating the salvage service efficiently on an international basis,

Recognizing further the essential role of salvors in response to casualties causing or likely to cause marine pollution,

Bearing in mind that there are indications that a considerable percentage of suitable salvage capacity may no longer be available for salvage purposes,

Being aware of the need for sufficient salvage capacity along the main shipping routes of international traffic of oil and other harmful substances,

1. Urges States to ratify or accede to the 1989 International Convention on Salvage as soon as possible;

2. Requests Member States of the Organization to review the salvage capacity available to them and to report to the Organization not later than one year after the Conference on their public and private salvage capabilities which are suitable to carry out salvage operations in order to prevent or minimize damage to the marine environment;

3. Requests Member States whose coasts have been threatened or damaged by marine pollution incidents to report to the Organization on any appropriate measures they have taken to utilize salvage capacities in response to such incidents;

4. Requests the Secretary-General of the Organization to consult the International Salvage Union, salvors, insurers, shipowners and the oil industry on the present and future availability of salvage capacity and to report his findings to the Marine Environment Protection Committee of the Organization.

Conference resolution 9

COOPERATION BETWEEN STATES AND INSURERS

The Conference,

Having adopted the International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990,

Being aware of the difficulties that may be encountered by a State affected by a pollution incident in obtaining useful and necessary information for pollution combating,

Recognizing the potential role of insurers, advisors and technical experts in providing such information,

Convinced that it is desirable to establish close cooperation between the State that has suffered pollution and the insurers,

Requests insurers, technical experts and advisors to cooperate with States in order to exchange technical information to allow effective response in the event of an oil pollution incident.

Conference resolution 10

EXPANSION OF THE SCOPE OF THE INTERNATIONAL CONVENTION ON OIL POLLUTION PREPAREDNESS, RESPONSE AND COOPERATION, 1990, TO INCLUDE HAZARDOUS AND NOXIOUS SUBSTANCES

The Conference,

Having adopted the International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990 (the OPRC Convention),

Noting article 38(a) of the Convention on the International Maritime Organization relating to the function of the Marine Environment Protection Committee or the Organization concerning the performance of such functions as are or may be conferred upon the Organization by or under international conventions,

Recognizing that pollution of the sea by accidental discharge of hazardous and noxious substances into the waters may threaten the marine environment and the interests of coastal States,

Recognizing also the existence of international instruments dealing with the carriage of hazardous materials and Assembly resolution A.676(16) on the transboundary movement of hazardous wastes,

Bearing in mind also that many of the existing regional conventions and agreements on cooperation in combating marine pollution incidents apply both to oil and to other harmful substances,

Considering it desirable that the scope of the OPRC Convention should be expanded to apply, either in whole or in part, to marine pollution incidents involving hazardous and noxious substances,

Considering also that it is desirable that, to the extent feasible and where appropriate, the OPRC Convention be applied by Parties thereto to marine pollution incidents involving hazardous and noxious substances other than oil,

Believing that the ways and means of responding to a marine pollution incident involving hazardous and noxious substances are different in certain important respects from those available for oil pollution preparedness and response,

Recognizing further the ongoing work of the Organization concerning the development of an international legal regime for liability and compensation, in connection with the carriage of hazardous and noxious substances by sea and the need for early adoption of a convention on this subject,

1. Invites the International Maritime Organization to initiate work to develop an appropriate instrument to expand the scope of the OPRC Convention to apply, in whole or in part, to pollution incidents by hazardous substances other than oil and to prepare a proposal to this end;

2. Urges Parties to the OPRC Convention to apply the appropriate provisions of the Convention, to the extent feasible and where appropriate, to hazardous and noxious substances, pending the adoption and entry into force of an instrument to cover these substances.

III. OTHER INFORMATION

A. International Court of Justice - Communiqué No. 91/6 of 22 February 1991

Portugal brings a case against Australia

The following information is communicated to the Press by the Registry of the International Court of Justice:

Today, 22 February 1991, the Government of the Portuguese Republic filed in the Registry of the Court an Application instituting proceedings against the Commonwealth of Australia in a dispute concerning "certain activities of Australia with respect to East Timor".

In its Application Portugal refers, in order to establish the basis of the Court's jurisdiction, to the Declarations made by the two States under Article 36, paragraph 2, of the Statute of the Court.

It claims that Australia, by negotiating, with Indonesia, an "agreement relating to the exploration and exploitation of the continental shelf in the area of the 'Timor Gap'", signed on 11 December 1989, by the "ratification and the initiation of the performance" of that agreement, by the "related internal legislation", by the "negotiation of the delimitation of that shelf", as also by the "exclusion of any negotiation on those matters with Portugal", has caused "particularly serious legal and moral damage to the people of East Timor and to Portugal, which will become material damage also if the exploitation of hydrocarbon resources begins".

Without prejudice to such arguments of fact and law and to such evidence as may be submitted in due course, and likewise without prejudice to the right to supplement and amend its submissions, Portugal requests the Court:

"(1) To adjudge and declare that, firstly, the rights of the people of East Timor to self-determination, to territorial integrity and unity (as defined in paragraphs 5 and 6 of the present Application) and to permanent sovereignty over its wealth and natural resources and, secondly, the duties, powers and rights of Portugal as the Power administering the Territory of East Timor are opposable to Australia, which is under an obligation not to disregard them, but to respect them.

"(2) To adjudge and declare that Australia, inasmuch as in the first place it has negotiated, concluded and begun to carry out the agreement referred to in paragraph 18 of the statement of facts, has taken internal legislative measures for the application thereof, and is continuing to negotiate, with the State party to that agreement, the delimitation of the continental shelf in the area of the "Timor Gap"; and inasmuch it has furthermore excluded any negotiation with the administering Power with respect to the exploration and exploitation of the continental shelf in that same area and, finally, inasmuch as it contemplates exploring and exploiting the subsoil of the sea in the "Timor Gap" on the basis of a plurilateral title to which Portugal is not a party (each of these facts sufficing on its own):

(a) has infringed and is infringing the right of the people of East Timor to self-determination, to territorial integrity and unity and its permanent sovereignty over its natural wealth and resources, and is in breach of the obligation not to disregard but to respect that right, that integrity and that sovereignty;

(b) has infringed and is infringing the powers of Portugal as the Power administering the Territory of East Timor, is impeding the fulfilment of its duties to the people of East Timor and to the international community, offending against the right of Portugal to fulfil its responsibilities and is in breach of the obligation not to disregard but to respect those powers and duties and that right;

(c) is contravening Security Council resolutions 384 (1975) and 389 (1976) and, as a consequence, is in breach of the obligation to accept and apply Security Council resolutions laid down by Article 25 of the Charter of the United Nations and, more generally, is in breach of the obligation incumbent on Member States to cooperate in good faith with the United Nations;

"(3) To adjudge and declare that, inasmuch as it has excluded and is excluding any negotiation with Portugal as the Power administering the Territory of East Timor, with respect to the exploration and exploitation of the continental shelf in the area of the "Timor Gap", Australia has failed and is failing in its duty to negotiate in order to harmonize the respective rights in the event of a conflict of rights or of claims over maritime areas.

"(4) To adjudge and declare that, by the breaches indicated in paragraphs 2 and 3 of the present submissions, Australia has incurred international responsibility and has caused damage, for which it owes reparation to the people of East Timor and to Portugal, in such form and manner as may be indicated by the Court.

"(5) To adjudge and declare that Australia is bound, in relation to the people of East Timor, to Portugal and to the international community, to cease from all breaches of the rights and international norms referred to in paragraphs 1, 2 and 3 of the present submissions and in particular, until such time as the people of East Timor shall have exercised its right to self-determination, under the conditions laid down by the United Nations:

(a) to refrain from any negotiation, signature or ratification of any agreement with a State other than the administering Power concerning the delimitation, and the exploration and exploitation, of the continental shelf, or the exercise of jurisdiction over that shelf, in the area of the "Timor Gap";

(b) to refrain from any act relating to the exploration and exploitation of the continental shelf in the area of the "Timor Gap" or to the exercise of jurisdiction over that shelf, on the basis of any plurilateral title to which Portugal, as the Power administering the Territory of East Timor, is not a party."

B. Fishing for salmon in international waters

Resolution of the Council of the North Atlantic Salmon Conservation Organization (NASCO) at its seventh annual meeting, held at Helsinki from 12 to 15 June 1990

The Council,

Having regard to the relevant provisions of international law and, in particular, the provisions on anadromous fish stocks in the United Nations Convention on the Law of the Sea,

Recalling the objective of NASCO to contribute through consultation and cooperation to the conservation, restoration, enhancement and rational management of salmon stocks subject to the Convention for the Conservation of Salmon in the North Atlantic Ocean,

Recalling the prohibition on salmon fishing in international waters contained in the NASCO Convention,

Recalling the Regulatory Measure adopted by NASCO for the North-East Atlantic waters,

Noting that over the last twelve months there have been a number of reports of fishing for salmon in international waters by vessels that are registered in countries that are not parties to the NASCO Convention,

Expressing concern that this fishery is seriously undermining the conservation measures in force and is contrary to the objectives of the provisions of the NASCO Convention,

Having regard to article 2, paragraph 3, of the NASCO Convention which states that the Contracting Parties shall invite the attention of any State not a party to the Convention to any matter relating to the activities of the vessels of that State which appears to affect adversely the conservation, restoration, enhancement or rational management of salmon stocks subject to this Convention or the implementation of the Convention,

1. Calls upon all Contracting Parties to the NASCO Convention to intervene through diplomatic channels with the countries which permit the registration of those vessels which are involved in the salmon fishery in the international waters of the North-East Atlantic Ocean, to request these countries to take all necessary measures in order to prevent fishing for salmon in international waters.

2. Requests the President, on behalf of the Council of NASCO, to draw the attention of the countries concerned to the activities of these vessels and their adverse impact on conservation of salmon.

3. Requests the Secretary of NASCO to bring the present resolution to the attention of international organizations.

C. United Nations sales publications prepared by the Office for Ocean Affairs and the Law of the Sea

1. The law of the sea: official text of the United Nations Convention on the Law of the Sea with annexes and index, Final Act of the Third United Nations Conference on the Law of the Sea - introductory material on the Convention and the Conference. 1983. 224 p. Price $12.95.
   Sales No. E.83.V.5 (Arabic, Chinese, English, French, Russian, Spanish).

2. The law of the sea: a select bibliography (LOS/LIB/1). 1985. 91 p. $12.00
   Sales No. E.85.V.2 (English only).

3. The law of the sea: status of the United Nations Convention on the Law of the Sea. 1985. 46 p. $8.00.
   Sales No. E.85.V.5 (Arabic, Chinese, English, French, Russian, Spanish).

4. The law of the sea: master file containing references to official documents of the Third United Nations Conference on the Law of the Sea. 1985. 176 p. $19.50
   Sales No. E.85.V.9 (English, French, Spanish).

5. The law of the sea: national legislation on the exclusive economic zone, the economic zone and the exclusive fishery zone. 1986. 337 p. $35.00.
   Sales No. E.85.V.10 (English only).

6. The law of the sea: multilateral treaties relevant to the United Nations Convention on the Law of the Sea. 1985. 116 p. $14.50.
   Sales No. E.85.V.11 (English, French, Spanish).

7. The law of the sea: pollution by dumping - legislative history of articles 1, paragraph 1 (5), 210 and 216 of the United Nations Convention on the Law of the Sea. 1985. 81 p. $11.50.
   Sales No. E.85.V.12 (English, French, Spanish).

8. The law of the sea: a select bibliography (LOS/LIB/2). 1987. 84 p. $11.50
   Sales No. E.87.V.2 (English only).

9. The law of the sea: current developments in State practice (No. I). 1987. 225 p. $23.00.
   Sales No. E.87.V.3 (English, French, Spanish).

10. The law of the sea: rights of access of land-locked States to and from the sea and freedom of transit - legislative history of Part X, articles 124 to 132, of the United Nations Convention on the Law of the Sea. 1987. 126 p. $19.00.
    Sales No. E.87.V.5 (English, French, Spanish).

11. The law of the sea: regime of islands: legislative history of Part VIII (article 121) of the United Nations Convention on the Law of the Sea. 1988. 124 p. $13.50.
    Sales No. E.87.V.11 (English, French, Spanish).

12. The law of the sea: maritime boundary agreements (1970-1984). 1987. 315 p. $38.00.
Sales No. E.87.V.12 (English, French, Spanish).

13. The law of the sea: a select bibliography (LOS/LIB/3). 1987. 49 p. $9.50.
Sales No. E.88.V.2 (English only).

14. The law of the sea: baselines: an examination of the relevant provisions of the United Nations Convention on the Law of the Sea. 1989. 85 p. $8.50.
Sales No. E.88.V.5 (Arabic, English, French, Spanish).

15. The law of the sea: navigation on the high seas - legislative history of Part VII, section I (articles 87, 89, 90-94, 96-98) of the United Nations Convention on the Law of the Sea. 1989. 91 p. $12.00.
Sales No. E.89.V.2 (English, French, Spanish).

16. The law of the sea: a select bibliography - 1988 (LOS/LIB/4). 1989. 63 p. $11.00.
Sales No. E.89.V.3 (English only).

17. The law of the sea: current developments in State practice (No. II). 1989. 212 p. $23.00.
Sales No. E.89.V.7 (English, French, Spanish).

18. The law of the sea: national legislation on the continental shelf. 1989. 289 p. $30.00.
Sales No. E.89.V.5 (English, French, Spanish).

19. The law of the sea: national legislation, regulations and supplementary documents on marine scientific research in areas under national jurisdiction. 1989. 306 p. $32.00.
Sales No. E.89.V.9 (English, French, Spanish).

20. The law of the sea: baselines: national legislation with illustrative maps. 1989. 390 p. $42.00.
Sales No. E.89.V.10 (English, French, Spanish).
(This compilation is complementary to item No. 14 above entitled Baselines: an examination of the relevant provisions of the United Nations Convention on the Law of the Sea.

21. The law of the sea: archipelagic States - legistative history of Part IV of the United Nations Convention on the Law of the Sea. 1990. 129 p. $17.50.
Sales No. E.90.V.2 (English, French, Spanish).

22. The law of the sea: protection and preservation of the marine environment. Repertory of international agreements relating to sections 5 and 6 of Part XII of the United Nations Convention on the Law of the Sea. 1990. 95 p. $12.00.
Sales No. E.90.V.3 (English, French, Spanish).

23. The law of the sea: a select bibliography - 1989 (LOS/LIB/5). 1990. 47 p. $11.00.
Sales No. E.90.V.8 (English only).

24. The law of the sea: a select bibliography - 1990 (LOS/LIB/6). 1991. 73 p. $12.00.
Sales No. E.91.V.2 (English only).

The above publications should be ordered directly from United Nations Publications, Room DC2-0853, New York, NY 10017, telephone: (212) 963-8302.

Additional publications

Annual Review of Ocean Affairs: Law and Policy, Main Documents 1985-1987. Vols. I and II. 1989. 940 p. $185.00. (English only). Annual. Compiled and edited by the United Nations Office for Ocean Affairs and the Law of the Sea.

Annual Review of Ocean Affairs: Law and Policy, Main Documents, 1988. Vol. III. 1990. 1416 p. $92.50. (English only). Annual. Includes index. Compiled and edited by the United Nations Office for Ocean Affairs and the Law of the Sea.

Note: The Annual Review is not a United Nations sales publication. Orders should be directed to UNIFO Publishers, Inc., P.O. Box 3858, Sarasota, Florida 34230, USA.